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ARCHIVES OF MARYLAND

LXIX

PROCEEDINGS

OF THE

PROVINCIAL COURT OF MARYLAND

1679-1680/1

COURT SERIES

(14)

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ELIZABETH MERRITT

Editor



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LETTER OF TRANSMITTAL

To the Maryland Historical Society:

LADIES AND GENTLEMEN:

This volume of the Provincial Court proceedings for 1679 to 1680/1, is Volume LXIX of the *Archives of Maryland* and Volume 14 of the sub-series on the courts. The tenth volume on the Provincial court, it begins with the opening of the Court on October 7, 1679, and it closes with what must have been the end of a session on February 23, 1680/1. At least, the next page of Liber W. C. begins with the formal opening of another session. Like its predecessors, it was set directly from photostats of the original liber in the Hall of Records in Annapolis and it reproduces, as exactly as a first-rate modern press can do it, the full and complete contents of that old volume. Courts and clerks do not change much, either in make-up or in habits, in the course of a very few years, so that most of what was said in the introduction to earlier volumes does not need to be repeated here. Volume LXIX begins with the first page of Liber W. C., and it ends with the last lines on page 384.

Volume LXX of the *Archives* will continue the work of the Provincial Court. It begins on April 26, 1681, with page 385 of Liber W. C., and it ends with page 771 of the same liber, on October 30, 1683. The copy for it is at hand, and work on it has already begun.

Respectfully submitted,

CHARLES A. BARKER,
Chairman of the
Committee on Publications

RHODA M. DORSEY

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INTRODUCTION

This volume LXIX of the records of the Provincial Court, the highest common law court in the Province, begins with the opening of a session of the Court on October 7, 1679 and ends on February 23, 1681, at the end of a session. As it covers a period of less than a year and a half, little change in the working of the Court is to be looked for, and little change is found. The jurisdiction of the Court remained what it had been. Cases involving more than 3000 pounds of tobacco, and criminal cases where the penalty might be the loss of life or limb had to originate there (*Archives* III, 422), but since 1676 civil cases of less than 1500 pounds of tobacco had to begin in the county courts (*Archives* II, 537; *post*, 85). Cases might be appealed from the county courts, however small the issue.

Many of the same justices continued to serve. Thomas Notley, who had been governor and therefore also chief justice, died in March or April 1679. Baker Brooke died in March 1679/80. Henry Coursey, though he lived until 1695 and continued to be a justice, does not appear at all. He was active in the affairs of the Eastern Shore in general, and in the difficulties with the Indians in particular: perhaps he came back to the Court later. Two new justices were sworn in and took their seats. George Talbot, who became a justice on February 10, 1679/80, was a cousin of Lord Baltimore, son of his aunt, Helen, and James Talbot. How and why George Talbot came to Maryland is not known. He did not appear in the Province until 1680, and since that was the year that Charles, third Lord Baltimore, returned to Maryland, Talbot may have come in with him. What his education and his experience were no one knows, but there is nothing uncertain about his energy and his impetuosity. He got from Lord Baltimore a grant for the 32,000 acre manor of Susquehanna, and he tried, with uncertain success, to plant a colony there. After he took his seat on the Court, he was present on May 13, and on November 23, 1680, and, to look forward a little, in April 1681, but in February 1680/1, he was absent. Whether he ever came back to the Court is uncertain. His gayest and most colored contribution to the Province came later, when he killed Christopher Rousby, but this is not the time or the place to go into that. William Diggs or Digges, sworn in as a justice just after Talbot, was, like him, kinsman of the Proprietary. He had been active in Virginia for a decade or so, and he was sheriff of York County in 1679. That same year he came over into Maryland, and he became councillor and justice on February 9, 1679/80 (*post*, 81; *Archives* XV, 268). In January 1682/3 he and Henry Darnall were commissioned chief judges for the probate of wills (*Archives* XVII, 130), and keepers of the great seal. In May 1684 both men were appointed to the Land Council (*ibid.* 255) and were given a third of all forfeitures of ships and vessels (*ibid.* 260). Digges was faithful enough in attendance on the Court, and he took a vigorous part in Provincial affairs. Of the total of eight men who appeared and served as justices, the greatest number who came to any one session was six, on

November 23, 1680, and, in that case, the Court opened with one justice, and was adjourned more than once because of the lack of enough members. The Court could not hold a session without at least three justices (*Archives* III, 546). Absent judges could be fined forty shillings, but there is nothing to show that these fines were ever exacted, or that, if they were levied, the judges really had to pay them.

Nicholas Painter continued to be clerk of the Court and also clerk of the Secretary's office and register in Chancery. He continued in office until at least March 1, 1681/2, though his performances were no better than they had been, and he piled up error on error. He called a man William, when he must have meant Thomas (*post*, 401), or wrote Timothy instead of Lewis (*post*, 364).

As to the attorneys before the Court, they, too, were much as they had been. Only one was sworn in, Richard Boughton, on October 14, 1679 (*post*, 74). He had been sworn in earlier, on February 13, 1666/7 (*Archives* LVII, 146) and it does not appear that he ever came to court in behalf of clients. He is described as an Anne Arundel County gentleman, but he seems to have been more than that. A Charles County man, he became secretary of the Province on February 16, 1665/6, and at the same time member of the Council and judge of the Provincial Court (*Archives* III, 545; XV, 7, 19). On December 23, 1667 he was sworn in as clerk of Charles County (*Archives* V, 21). A little more than a year later, on March 30, 1668, he was elected to the Lower House from Charles County (*Archives* LI, 326), and on April 13, 1669 he took his seat (*ibid.* II, 156). On April 28, 1674 he was sworn in as clerk of Anne Arundel County (*Archives* XV, 35), and, almost at once, May 19, 1674 he became clerk of the Upper House and of the Council (*Archives* II, 346).

There was at this time a case of the disbarment of an attorney duly admitted. Justinian Gerard "having in this Cause filed his bill against the debt [Henry Bonner] being one of the attorneys of this Court, and the said Deft refusing to answer thereto, Itt is Ordered that the same debt be debarred of his priviledge as an attorney of this Court", and that defendant Bonner be subjected to a writ of *Capias* (*post*, 401). This had not happened for eight or ten years.

As usual, a very few of the attorneys had most of the cases. The most active were Christopher Rousby, Robert Carvile, Robert Ridgely and George Parker. Kenelm Cheseldyne, who was his Lordship's attorney general until he was replaced on October 4, 1781 (*Archives* XVII, 33) by Thomas Burford, had more than forty cases in his own right, in addition to those he handled as attorney general. George Parker and Christopher Rousby had most of the cases involving English merchants.

The sheriff, especially the sheriff of St. Mary's County, was as important as he had been. Since his chief function here and now was related to the Court, he did not have to attend to his executive duties so much. He was the custodian of persons, though that custody did not mean, generally, the close confinement of a jail (*Archives* LXV, 471, 548). But a prisoner had to stay within the bailiwick of the sheriff to whom he had been committed, and he had to stay where the sheriff could find him. If the sheriff told the Court that he had taken the man, and then did not produce him where and when he was supposed

to be, he was amerced 40 shillings unless he produced the man (or the woman) next court. A sheriff had also to execute attachments. John Paler recovered, by a *fiery facias* from the Proprietary, the sum of 2388 pounds of tobacco from the goods of Thomas Robinson, in satisfaction of a debt. Sheriff Gerard Slye had that amount of tobacco in his hands, but he converted it to his own proper use and so defrauded John Paler. Paler thereupon sued Slye for 7000 pounds of tobacco, and the jury, being called, came and, on their oaths, found that Slye was guilty as Paler had claimed (*post*, 264). By this time Slye was no longer sheriff of St. Mary's County, though he was still, as he had been, a member of the St. Mary's County court. Sheriffs were custodians of persons: they were, even more importantly, collectors of the Proprietary's dues and of the county taxes and revenues.

Although the Provincial Court was the chief court to hear writs of error or appeals from the county courts there were few cases heard except originally. In 1678 the Assembly had provided that the differences between writs of error and appeals be substantially removed (*Archives* VII, 71), so that new trials on appeals should not be heard in the upper court. There were four cases involving writs of error and seven appeals, although not all came up to trial now. John Lemarre and George Godfrey had a common boundary, and they had the common troubles over it. Godfrey sued Lemarre in the Charles County court, on a plea of trespass on the case, on August 12, 1679. He claimed that Lemarre had come onto his land and had cut down eight trees. The county court awarded Godfrey 3000 pounds of tobacco. Lemarre said his patent was older than Godfrey's, and he asked for and got a special warrant to have the boundary resurveyed (*post*, 218). The surveyor said there was damage on both sides, but who did what to whom he knew not. Later, Lemarre said Godfrey had cut three trees on his [Lemarre's] land (*post*, 286). In the Provincial Court, Lemarre had much the better of it. The judges revoked Godfrey's judgment for 3000 pounds of tobacco and awarded Lemarre costs of 1991 pounds of tobacco. In Lemarre's suit against Godfrey, the jury and the Court said Lemarre should have only fifty pounds of tobacco from Godfrey, "one of the said trees being dead and the other Two being soe bad that most part of them Could not be made use of" (*post*, 286). But they went on to award Lemarre 3652 pounds of tobacco costs of suit. Twenty years later much or all of Lemarre's land had escheated to the Proprietary and was regranted (Charles County Rent Roll, *sub* John Chandler).

The case of Blangey *v.* Harris came up to the Provincial Court on appeal from Kent County Court on a plea of debt (*post*, 296-300). Desborough Bennet, for whom Mrs. Blangey was executrix, had in his will left a two-year old heifer to his servant Thomas Harris, and another heifer to another servant, Susanna Hortley, to be delivered six months after his death. The two servants married, but the widow Bennet, now Mrs. Blangey, had not delivered the heifers. Accordingly, the legatees sued Mrs. Blangey and her husband in the Kent County court. Blangey pleaded that it was a legacy, and therefore not to be paid until after all the debts were satisfied. The county jury decided in favor of the Harrises, and the Blangeys, giving the usual security, appealed to

the Provincial Court. In the upper court, Blangey alleged errors and cited them. The writ was in a plea of debt, but the declaration in a plea of detinue, so that there was a variation between writ and declaration. Also, there was a vagueness in the declaration which made it vicious: the ages and values of the heifers should have been given. The Provincial Court took account of all these errors and others, and, acting solely on the first one, the variance between writ and declaration, reversed the county court. They also gave the Blangeys 1256 pounds of tobacco for costs.

IMPORTANT CIVIL CASES

There were at this time no criminal cases, therefore no grand juries. If crimes appear, as they do, they are only the grounds for civil suits for damages. In the case of Arthur Sawyer *v.* Edward Gibbs (*post*, 300-306), involving a plea for an account, several items involved charges of theft. A piece of Scotch cloth valued at 102 pounds of tobacco, was said to have been stolen out of Benjamin Lawrence's store. Two hogsheads of tobacco, of a value of 798 pounds of tobacco, were stolen from Henry Mitchell's. But these were only items in the account which the Court allowed Sawyer. Two cases of defamation or slander were likewise settled without jury trial. George Parker sued Joseph Tilley in an action of defamation, but he withdrew the charge when Tilley appeared in court and acknowledged that he had wronged Parker in speaking the words complained of, and he said he would pay the costs and charges (p. 230). Another case, Richard Marsham *v.* Wm. Collins (*post*, 118-121), is completely in the tradition for a slander suit. Richard Marsham of Calvert County sued William Collins, also of Calvert, on a plea of trespass upon the case. Marsham said he had lived in Calvert for twenty years, and that he had practiced "the lawfull and necessary art and mistery of a house carpenter", employing great numbers of servants, living as a good, true and faithful and honest person of the Province, a loving and kind master to his servants, enjoying the favor of his neighbors. Yet Collins, in a public place, before numbers of Marsham's acquaintances, had, on October 2, 1679, said that Marsham had beaten his servant man, Jenkin Price, until he died, and that he, Collins, could prove it. He had repeated these malicious words several times, so that Marsham had lost his good repute. Hereupon Marsham sued Collins for 20,000 pounds of tobacco. When the parties came into court, Collins pleaded not guilty. The jury found him guilty, and the Court awarded Marsham 1600 pounds of tobacco damages and 2072 pounds for costs (*post*, 118-121). The colonists were indeed jealous of their good names.

There were very many cases involving land on the docket at this time, though few of them concerned a grant directly from the Proprietary. Of course all the cases rested finally on such a grant, but only one led to the making of a new one. Major Thomas Truman of Calvert County, tried in September 1676 for at least conniving at the murder of five Indians after they had surrendered, and thereupon removed from his place as a member of the Council (*Archives II, passim*), now in March 1679/80 petitioned the Proprietary for a new grant for land. His warrant for 1000 acres called "Trumans Choice" had been

found upon survey, to contain only 375 acres. He asked now that the old grant be vacated and that he have a new one for the number of acres really found. The petition was turned over to the Provincial Court, and the Court ordered the surrender of the old patent and the issuance of a new one for the 375 acres (*post*, 118).

With only this one exception all the land cases at this time were of ejectment to try title, and they all went according to an established pattern. The holder of the title, relying on that title, leased the land to someone, though he might not have possession of it. The lessee entered upon the land and was possessed of it. Later, perhaps even later the same day, the ejector entered upon the land, ejected the lessee, and did other enormities to him. The ejected lessee then sued the casual ejector. The casual ejector came into court, pleaded not guilty, and prayed a jury trial. The Court ordered that, unless the tenant in possession or those under whom he claimed appear in court, and made himself or themselves defendant, "and by rule of Court confesse the lease Entry & Ejectm^t & insist only upon the title, the def^t . . . will confesse judgm^t & possession will be delivered accordingly to the plaintiffe." (*post*, 403). The Court further ordered, usually, that a survey of the ancient boundarie be made by the county surveyor in the presence of the county sheriff and a jury of the neighborhood. A plot and certificate must be made and returned to the Court, so that it might "Doe therein what to Justice appertaines," (*ibid.*, 404). The surveyor returned an inquisition indented, which gave the names of the jury and the bounds they ordered for the tract. And the sheriff and the jury and the surveyor signed the return. If the defendant would not accept this, he pleaded not guilty and had a jury summoned. If the jury found the defendant guilty, the Court said that the lessee recover what was left of the tract he had leased, and, usually, the costs to which he had been put. There were a dozen or more cases now that followed this pattern. As he could do, and so often did do, the clerk of the Court grouped many of these cases together (*see* Ejectment, Action in, *post*).

SERVANTS.

About servants there is nothing new now, though some of what does happen is interesting, legally or socially. Or humanly. There is not much bringing in of servants, at least so far as such importations came before the Provincial Court. The cost of a servant's passage was £5 sterling (*post*, 108), which was just half the cost of a free person's (*Archives* LXVIII, 157). Servants were bought and sold like any other commodity: sometimes the consideration was sterling, but it was more likely to be tobacco. Sometimes a servant passed from one master to another for goods or services. James Lewis of St. Mary's County, had some personal property in Somerset County which he wanted to have brought across the bay. He had a gelding worth 2000 pounds of tobacco, 690 pounds of beef, 95 pounds of pork, and four and a half barrels of corn. So he made a deal with Miles Grey, who was caring for the horse. Lewis agreed to deliver to Grey a woman servant named Bridget "for the time she had then to serve the said James being about five yeares" (*post*, 82-83). For Bridget's five years of service, Grey promised to pay Lewis a mare and a colt and a hun-

dreed pounds of "salted well saved sound porke", and also to transport the "horse beefe porke and corne" to St. Mary's County. Lewis said he had delivered the woman to Grey, but that Grey had not done as he promised. The jury, called in the suit, declared in favor of Lewis, and the Court, refusing to arrest the judgment, awarded him the 400 pounds of tobacco set by the jury and 2619 pounds more for his costs. Nothing more is heard of Bridget (*post*, 82-83).

Several servants had to sue for their freedom, and usually they got it, sooner or later. Elizabeth Cannee said that she had been a servant of Mark Cordea, and that Cordea had committed her to the custody of his son-in-law, John LeCompt. LeCompt had bargained with her to set her free at once, if she would sign to him her freedom corn and clothes. She did so sign and she did receive a discharge from LeCompt. But Cordea had her re-arrested and threatened to make her serve the familiar ten days for one day's absence from his service. The Court ordered her to serve out the remainder of her time with Cordea, but forbade him to exact any extra time for her absence and ordered him to pay her her corn and clothes when her time of service was ended. She obeyed, but at the expiry of her service, Cordea refused to set her free or to give her the corn and clothes. When she came into court again to get an order against Cordea, the Court said she was free and ordered Cordea to pay her what was due her. (*post*, 123-124, 207-208). Nothing more is heard from her now. Richard Newman was another servant who had to petition "for his freedom and freedome Corne and Cloathes". The Court looked at a certificate he produced, said he was free, and ordered that he have the corn and clothes. Furthermore, he was granted execution of the Court order (*post*, 222-223).

On the whole, the Court was merciful toward ill-treated servants. James Anderson told the Court that he had come into the Province on a four years indenture, consigned to Mr. John Addison, and that the four years were expired December 22, 1679. Yet Mark Cordea, whose servant he had meantime become, refused to free him or to give him his due in corn and clothes. More than that, Anderson said he was now very lame and broken out with sores, which Cordea refused to care for. When he applied to the Chancellor, Calvert gave him medicine for his wounds, and ordered innholder John Barnes to take care of him. The Court decreed that he was free, ordered Cordea to satisfy him for his corn and clothes, and told him to apply to the St. Mary's County Court for an allowance for his livelihood (*post*, 122-123).

The hot-headed James Lewis, who had, years before, been judged guilty of abusing a member of the Lower House, and been compelled to beg the pardon of the injured member on his knees (*Archives* II, 253-254), now came into court for harsh behavior toward one of his women servants, and for such cruelty toward a manservant that the man died. Lewis refused to allow the maid, Mary Baines, clothes to wear, food to eat or a bed to lie on. He had ordered the man, Joseph Robinson, to bring in a huge log, and had abused some others who tried to help carry the wood. When Robinson confessed that he had taken a small piece of meat to eat, Lewis threw him to the ground, "and Trampled Upon his Throat with such Violence That within Two hours after the said Joseph Dyed" (*post*, 413). To all this, petitioner Mary Baines

said she had two witnesses. The Court ordered Mary into the custody of Sheriff William Boareman while it looked into the case. In a day or so a bill of sale from Lewis to Thomas Courtney, also of St. Mary's County, for Mary Baines was produced in Court, and the Court ordered her into the custody of Courtney. Ten years or so earlier, Lewis had been charged with mutiny and sedition against the Proprietary, and, being found guilty, had been ordered to receive thirty-nine lashes. Since gentlemen were never given lashes (*Archives* I, 184), Lewis can have been no more than a planter.

With treatment so cruel vented upon servants, it is not strange that there were runaways, even if seldom. Richard Johns of Calvert County, had a servant, John Thompson, a tailor by trade, with two years still to serve. The tailor-servant departed and ran away without leave. James Harrison, also a tailor, offered to go down into Virginia, whither Thompson was said to have fled, and bring him back, for one thousand pounds of tobacco. Johns accepted the offer, and authorized Harrison to dispose of Thompson if he saw fit. Harrison did apprehend the fleeing servant and sold him for 6000 pounds of tobacco to a Virginia merchant. But he did not pay the 6000 pounds to Johns, the master, so Johns sued him. Harrison said he had not promised what the master said, and he put himself upon the country, prayed a jury trial. The jury found for Jones and they awarded the plaintiff £22/10 or 4500 pounds of tobacco. This direct comparison of the value of sterling and tobacco is often hard to find. Other servants ran away and either came back or were brought back. By act of Assembly any such servant had to serve ten days for each day's absence (*Archives* II, 524-528). Thomas Doxey of St. Mary's County told the Court that his servant woman, Katherine Canneday, ran away and unlawfully absented herself one hundred and seven days, "whereupon itt is ordered that she the said Katherine serve the said Thoma[s] . . . tenn dayes for every one dayes absence according to Act of Assembly . . . which amounts unto One thousand & seventy dayes" (*post*, 154-155). Nothing was said of her corn and clothes, so presumably she was to have them when the 1070 days were over.

CHIRURGEONS

At this time only four or five men appear as chirurgeons or doctors, and sometimes what they were doing was related to their skill in healing diseases. The place of doctors in the community was not high: as far back as 1640 they were mentioned with artificers or laborers, and county courts were allowed to regulate their wages and their rates (*Archives* I, 97). Nor is anything much known about their training. On February 14, 1679/80, Francis Burton of Calvert County petitioned the Provincial Court for an increase in his allowance. He had been wounded in the thigh in the fighting at the Susquehanna Fort under Major Thomas Truman, and he was "now in a perishing condicōn haveing att p'sent five tents in his Thigh" (*post*, 115). A tent was a surgical dressing to absorb the drainage from the wound. Thereupon the Court ordered Chirurgeon Edward Mullins or Mollins, to take care of Burton, dress his wounds and try to cure him, and ordered that Burton have an increase of 400 pounds of tobacco in his allowance, in addition to the charges for

Doctor Mollins (*post*, 116). The same chirurgion was called upon to cure a man sick of a fever, and the sick man promised to give him what he should reasonably deserve. Mollins came to see the man for a month or more, and administered to him "divers potions Electuaries & other physicall meanes, and did apply to him severall plaisters . . . for which he doth reasonably deserve Seventeen hundred ninety & foure pounds of tobacco". (*post*, 29). Neither the sick man nor his administrator paid the doctor, so he sued. Both plaintiff and defendant put themselves upon the Court. And the Court awarded Mollins 1394 pounds of tobacco damages, and 536 pounds more for costs.

ORPHANS

Concerning orphans there were not many cases in the Provincial Court now, for most such cases as arose, were heard and decided in the County courts. When the Provincial Court did come to deal with orphans and their estates, it showed much consideration, even tenderness. When Richard Chillman died, November 1678, he left all his estate to his cousin, Thomas Loquer, a minor. Gerard Slye was made Chillman's administrator, presumably because he was Chillman's largest creditor, and it was for Slye to fight the cases against the estate, and they were many. Yet the Court ordered the St. Mary's County Court to pass no judgments against the estate "until the said Thomas Loquers estate be first secured for him by the said [St. Mary's County] Justices" (*post*, 62).

Another case about an orphan can easily and clearly be quoted in full. "George Reid aged fourteene yeares the sonne of George Reid late of Calvert County dec^d Came into Court and complained of the bad usage of him by M^{rs} Joane Waghob and desired that hee might have the Liberty of making Choice of Hugh Johnson of Talbott County to bee his Guardian w^{ch} is accordingly Ordered and allowed of by the Court here:" (*post*, 222). Young Reid's father was the original grantee of Readbourne, the tract of land in Queen Anne's County, on which the great house was built. Mrs. Waghob was the wife of his guardian, John Waghob. If Joane (Mounten?) Reid Tylor Beale was really his mother, as in her will she seems to say she was (Will Book 2, fol. 346) she had children by all three husbands, and an illegitimate son to boot.

CONTINUING LITIGATION

Several cases treated in earlier volumes reappear at this time, and it seems worth while to bring them up to date. The case or cases involving Mrs. Thomas Letchworth and Bernard Johnson, cooper, both of Calvert County, seemed to have come to a period in October 1678, when the Provincial Court ordered that any two of the Calvert County commissioners should remove Johnson, by force if necessary, from land the Court had awarded Mrs. Letchworth, and restore her to possession. Johnson did not give up. He confessed that the Court had, in October 1678 awarded Mrs. Letchworth possession of Gloucester Hall, because it lay within the manor of Brook Court. But, he said, he had bought

the land from John Abington, and had made it into a plantation. On it he had built "one dwelling House, Two tobacco houses, one Milke house, one hog house, One hen house" and had planted a nursery and an orchard. He had also cleared and fenced a corn field and a tobacco patch. For the tobacco crop he had made eight tobacco hogsheads (Remember that he was a cooper), and these hogsheads were on the plantation when Mrs. Letchworth recovered possession (*post*, 138). It was then the proper time to pack tobacco and the crop was in good condition to be struck, but Mrs. Letchworth obstructed and hindered his workmen and seized the eight hogsheads. Before he could get or make others, his crop was wasted and destroyed by cattle, and the tobacco house was blown down and burned, so that he lost the whole of his year's profit. Accordingly, he sued Mrs. Letchworth for 8000 pounds of tobacco. At the suit she pleaded not guilty, but the jury held her guilty, though it gave the cooper only 200 pounds of tobacco (*post*, 137-140).

The case of *Stocket v. Peca* had been in litigation for several years. Henry Stocket had sued Robert Peca in the Anne Arundel County court and had obtained a judgment (*Archives* LXVII, xvii-xix; *ibid.*, LXVII, 155-156). Peca got from the Chancellor a writ of error to the Provincial Court, and Stocket lost (*ibid.*). Stocket then petitioned the Proprietary and the Council for a writ of error to the Upper House of Assembly. The Proprietary was at the time in the Province. And they referred the petition to the Provincial Court, composed of the same men as the Council. When, in the Court, the petition was read and heard, the Court ordered that Stocket, on giving security to prosecute, should have the writ he wanted. Stocket gave the desired security and got the writ (*post*, 63-64). This was in October 1679, but the next session of the General Assembly did not take place until August 16, 1781. On August 24, 1681, a petition from Stocket was presented to the Upper House. This was indeed speedy action. His Lordship, Charles Calvert, still in the Province, acted as speedily. Serving as governor, he answered with a "fiat Justicia", and the petition was underwritten in that way. By that time Peca was dead (*Archives* VII, 127-128), and nothing more is known now.

In 1678 John Quigley asked Robert Ellys to buy for him a pipe of "good St. Georges or ffyall wine" at Charles Gosfright's store on the Patuxent River, and to carry the wine up to him Quigley. Ellys said that he did buy the wine and did send it to Quigley, and that he deserved for that 2500 pounds of tobacco. A pipe of wine contained a hundred and twenty-six gallons, so that a gallon of wine was priced at just under twenty pounds of tobacco. When the case came to trial, Quigley said that he had not assumed, as Ellys said, but a little later he confessed judgment for the 2500 pounds damages, and also for 1246 pounds more for costs (*Archives* LXVIII, 166). Even so, Ellys had to get an attachment, but when the sheriff came to execute it, he found Quigley dead, and the estate in the hands of his administrator (*post*, 80) not sufficient to satisfy the judgment.

Mr. John Browne of Salem in New England was still trying to get the Proprietary to restore to him or to the heir of his son James, as much as he could of the son's estate. Son James had killed himself in 1675; that made him

a felon of himself and therefore a murderer. Accordingly, all his goods and chattels, though not his land, were forfeited to the Proprietary. The Court answered Browne's petition by ordering a legal trial of the rights of the Proprietary, and suggested that the father imploy Christopher Rousby, George Parker, Charles Boteler or Nehemiah Blakiston to bring the case into court (*Archives* LXVII, 245). That was in April 13, 1678: nearly three years later, February 18, 1681, Brown was still trying, and still unsuccessful. On that day he told the Court that he had "a Cawse depending in this Hon^{ble} Court against his Lopp the Lord Prop^{ty}, and all the Attorneys of this Court refusing to bee your Peticoners Attorney . . . [he] humbly prayes this Court that hee may have Councell and Attorney or Attorneys assigned to him to Plead in his behalfe . . . Which being Read and heard &c^a Itt is ordered by the Court here this day. . . that Robert Ridgely and George Parker gentl Attorneys of this Court bee . . . Assigned Cuncello^{rs} to the said John Browne to prosecute for him the aforesaid ac^{on} against the Lord Prop^{ty} . . . (*post*, 411). It is not known at this point why the attorneys all declined to prosecute for Browne, nor what the attorney now directed to take the case did for him.

Garret VanSweringen, who kept ordinary in St. Mary's County, sued Josias Fendall in the Charles County Court for accommodations received between April 1676 and November 15, 1677, for which Fendall had refused to pay (*post*, 198). Fendall got a nonsuit because of the statute of limitations. Thereupon, VanSweringen obtained from the Chancellor a writ of error, which came to a hearing in the Provincial Court on October 7, 1679. Fendall prayed time to answer until next court, May 15, 1680. At that time the justices "diligently examined" the arrors alleged by VanSweringen against Fendall's nonsuit and "Considered that the Judgment aforesaid for the Errors in the Record and processe aforesaid bee Revoaked Adnulled and altogether held for nothing, and that . . . Vanswearingen unto all things w^{ch} by occasion of the Judgment aforesaid hee had Lost bee Restored, And that the said Garret Vanswearingen Recover against . . . Fendall the sume of . . . [1809] pounds of tobacco for his Costs". (*post*, 202). Fendall did not pay, and Van Sweringen got out a warrant for his arrest. To this, the sheriff of Charles County returned November 23, 1680 that he had taken Fendall "but Cannot bring his body downe as . . . he was Commanded". (*post*, 313).

Sheriff Chandler had arrested him but could not bring him down! Most unusual!! And why could he not? Fendall was an active, self-centred rogue, whose biography has never been written. Though he was at one time governor of the Province, by the appointment of the Proprietary, he was no sooner in office than he tried to undermine his benefactor. Later he was put on trial for treason, and he was spared the death penalty after his conviction. He got off with a fine and a prohibition against his voting or holding office (*Archives* III, 408). Yet on at least two other occasions, the people of Charles County either chose him a delegate or were "obstinately inclined to elect him", and the Council of the Province had to warn them that they would only lack one of their due number of delegates (*Archives* XV, 192-193) if they persisted. This was

in 1678, and Fendall was stirring up more trouble against the Proprietary. He charged that the Papists and the Indians were leagued to destroy all the Protestants (*ibid.* 388). He said, too, that there were no longer any established laws at all in England, so that soon there would be land in the Province for everybody. If this was Fendall's attitude (and it was), small wonder that Chandler could not bring him down to the more unfriendly St. Mary's City. He was doing well even to serve the writ of arrest.

PROVINCIAL COURT PROCEEDINGS

1679

Att a Provinciall Court held att the City of S^t Maryes the seventh day of October in the fourth yeare of the Dominion of the Right Hon^{ble} Charles Lord Baltmore &c Annoq³ Doni One thousand six hundred Seventy nine, and there continued untill the sixteenth day of the same Month, on which said Seventh day of Octob^r were p^rsent

Liber W. C.
p. 1

The Hon^{ble} { Philip Calvert Esq^r Chancelour
W^m Calvert Esq^r Principall Secretary
Vincent Lowe Esq^r Surveyo^r Gen^{ll}
Lieutenant Col Henry Darnall

Nic: Painter Ct

Thomas Bland } Peter Pagan of London Marryner als Peter Pagan
ag^t } of the Province of Maryland M^rchant was Attached
Peter Pagan } to Answer unto Thomas Bland one of the Attor-
neys of the Provinciall Court according to the lib-
ertyes and priviledges of such like Attorneys & other Officers of
the said Court used and allowed of a plea of trespas upon the case.

And whereupon the said Thomas Bland in his proper person saith, that whereas the said Peter Pagan the twenty third day of October one thousand six hundred Seventy six att Severne river in the County of Ann Arundell att the dwelling house of the said Thomas Bland, in consideracōn that the said Thomas Bland would permitt & suffer one certaine Robert Peake M^rchant to come on Shoare to the said Blands house with a Cargoe of sundry Goods Wares M^rchan- dize[s] and Co^modities together with Eight Servants, & furnish the said Robert Peake with a store to sell the said Goods in and accomodacōn of dyet & lodging for the said Eight Servants untill such tyme as they should be disposed of. And also provide & finde for the said Robert Peake sufficient dyett washing & lodging duren- ing such tyme as he should keepe store att the house of the said Bland And also furnish and sell unto the said Peter one Ox for provisions for his Seam[en] and one boate about fourteene foot by the Keele, the said Peter did assume upon himselfe & to the said Thomas did faithfully promise, that he the said Peter for the storeidg[e] of the said Robert, and also the dyet & accomodacōn of the said Robert whilst he should keepe store att his house And the said Eight Serv- ants untill they should be disposed of And also for the said ox & boate to him the said Thomas what the same should be worth and reasonably deserve, he the said Peter when thereunto required would well & truely the said Thomas for the same content & pay And the said Thomas in fact saith, that trusting to the promise & assumpcōn of him the said Peter to him the said Thomas in this behalfe soe aforesaid made, the day & yeare aforesaid att the dwelling house

Liber W. C. of the said Thomas in Severne River aforesaid in The County aforesaid, he the said Thomas did suffer the said Robert Peake with the said Cargoe And Eight Servants to come on shoare to his house, & did furnish the said Robert with a store house to keep the said Goods & M^rchandizes in, and did furnish & provide the said Eight Servants with accomodacōn of dyet & lodging untill they were disposed of And also did finde & provide for the said Robert sufficient dyet washing & lodging dureing such tyme as he kept store att the house of the said Thomas that is to say for the space of foure Months and seven dayes which was from the twenty third day of Octob^r in the yeare aforesaid, untill the first day of March following, for which the said Thomas doth deserve the sūme of two thousand six hundred pounds of tobacco And also did sell & deliver unto the said Peter one boat of about fourteene foot by the keele, & one Ox of about Eight yeares old for provision for his Seamen, for which he reasonably deserves the Sūme of Sixteene hundred pounds of tobacco more, which Sūmes in the whole doe amount to the Sūme of foure thousand two hundred pounds of tobacco Notwithstanding which the said Peter his promise and assumpcōn so as aforesaid made not regarding, but deviseing & fraudulently intending him the said Thomas of the said foure thousand two hundred pounds of tobacco to deceive & defraud, the said Peter him the said Thomas the said Sūme of foure thousand two hundred pounds of tobacco hath not paid though often thereunto required, but the same to pay hath denyed & as yet doth deny, to the damage of the pth tenn thousand pounds of tobacco.

And whereupon the said Peter by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto until next Provinciaall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the fifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq^{ue} Doni 1679 came the said parties by their Attorneys aforesaid And the said Peter by his said Attorney saith, that he did not assume upon himselfe & to the said Thomas faithfully promise in manner & forme as by the said Thomas in the said Declaracōn is alleadged. All which he is ready to averr, & thereof he putts himselfe upon the Countrey And the said Thomas likewise Therefore itt is comāded the Sheriffe of Saint Maryes County that he cause to come here twelve &c by whom &c and who neither &c to Recognize &c because as well &c on which said ffifteenth day of Octob^r in the yeare aforesaid came the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise came, to witt Edward English, W^m Collins, John Haslewood, Jacob Loton, Cornelius Comegijs, Richard Baily, W^m Cole, John Askin, Emanuell Ratcliffe, John Staynes, W^m Layton & Thomas Jones

who being Elected tryed & sworne to say the truth in the p^rmisses upon their Oathes doe say, that the said Peter Pagan did assume upon himselfe & to the said Thomas ffaithfully promise in manner & forme as the said Thoma[s] hath above declared against him And they assesse the damage of the said Thomas to foure thousand two hundred pounds of tobacco Therefore itt is considered that the said Thomas Bland recover against the said Peter Pagan as well the Summe of foure thousand two hundred pounds of tobacco damages by the jurors aforesaid in forme aforesaid assessed As also Sixteene hundred & Eighteen pounds of tobacco costs of suite And the said Peter in mercy &c

Liber W. C.

p. 3

Gosfrights Ex^{rs} } John Darnall late of Calvert County gentl was
ag^t } Sumōned to Answer unto Richard Marsham and
John Darnall } George Lingham Ex^{rs} of the last Will & testament
of Charles Gosfright deceased in a plea that he
render unto them Seven thousand Eight hundred ninety six pounds
of tobacco which from them he unjustly detainies

And whereupon the said Richard & George by Christopher Rousby their Attorney say, that whereas the said Charles Gosfright the day of did accompt with him the said John Darnall of divers Goods & M^rchandizes to him the said John by the said Charles before that tyme sould & delivered And also of divers Summes of tobacco before that tyme by the said Charles att the request of the said John laid out & disbursed And Upon that Accompt the said John Darnall was in Arrears to the said Charles Gosfright seven thousand Eight hundred ninety six pounds of tobacco yet the said John the said Summe of Seven thousand Eight hundred ninety six pounds of tobacco unto him the said Charles in his life tyme, or unto them the said Richard and George Ex^{rs} of the last Will & testam^t of the said Charles since his death though often thereunto required hath not paid, but the same to pay hath refused & still doth altogether refuse in hinderance of the Execucōn of the Letters testamentory to them the said Richard & George by the Hon^{ble} Philip Calvert Esq^r Commissary Gen^l of Maryland under the right Hon^{ble} the Lord Prop^{ry} granted, whereupon they say they are damni- fied & have losse to the Value of tenn thousand pounds of tobacco, & thereupon they bring their suite And the said Richard & George bring into Court here their Letters testamentory wherby itt may appeare to the Court here that they are rightfull Ex^{rs} of the last Will & testam^t of the said Charles as aforesaid

And the said John Darnall by Charles Boteler his Attorney comes & defends the force & injury when &c and prayes liberty to imparle hereunto untill next Provincial Court & itt is granted unto him, the same day is given to the plaintiffes also.

Att which said next Provinciaall Court came the said parties by

Liber W. C. their Attorneys aforesaid, And the said Defend^t^[1] by his said Attorney saith, that the said Richard & George their action aforesaid
 p. 4 against him ought not to have, for tha[t] The said John Darnall the aforesaid Summe of seven thousand Eight hundred ninety six pounds of tobacco above in the declaracōn mencōned by the hands of Thomas Tasker unto the said Charles Gosfright in his life tyme he hath well & truly paid & satisfied, And this he is ready to averr, & prayeth judgm^t if the said Richard & George their action aforesaid ought &c Whereupon day is given to both parties untill next Provinciall Court.

Now here att this day to witt the Eleventh day of Octob^r in the fourth year of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Dni 1679 came the said parties by their Attorneys aforesaid And the said John Darnall by his said Attorney saith, that as to foure hundred forty foure pounds of tobacco part of the debt in the declaracōn mencōned he cannot gainsay, for that the same remains unpaid, the residue thereof (as appeared to this Court by the Oath of the said Tho: Tasker which is allowed of as Evidence by the p^{ts} Attorney) being already satisfied & paid to the said Charles Gosfright in his life tyme Therefore itt is considered that the said Richard Marsham & George Lingham Ex^{rs} as aforesaid recover against the said John Darnall the aforesaid Summe of foure hundred forty foure pounds of tobacco As also five hundred Seventy six pounds of tobacco costs of suite And the said Defend^t from thence in mercy And the said p^{ts} in mercy for their false plaint against the said Defend^t for the residue of the debt aforesaid And that the said Defend^t may goe from thence without a day &c

Tho: Groves	}	Richard Marsham & George Lingham late of Cal-
ag ^t		vert County Ex ^{rs} of the last Will & testam ^t of
Gosfrights Ex ^{rs}	}	Charles Gosfright late of Calvert County M ^r chant
		deceased were Sumōned to Answer unto Thomas

Groves of London Marryner of a plea that they render unto him the full & just Summe of three thousand nine hundred forty six pounds of good sound M^rchantable Arranocoa tobacco & cask which from him unjustly they doe detaine

And whereupon the said Thomas Groves by Charles Boteler his Attorney saith, that whereas the said Charles Gosfright upon the tenth day of April in the yeare of our Lord One thousand six hundred Seventy & Eight, by his certaine bill or writeing obligatory sealed with the Seale of him the said Charles & here in Court produced whose date is the day & yeare aforesaid, did owe & stand indebted unto Thomas Groves of London Marryner the full & just Summe of three thousand nine hundred forty six pounds of good sound M^rchantable Arranocoa tobacco & cask to be paid to the said Thomas Groves his heyres Ex^{rs} Adm^{rs} or assignes in Calvert County

att or before the tenth day of Novemb^r next ensuing the date thereof, for the pformance whereof the said Charles did binde himselfe his heyres Ex^{rs} & Adm^{rs} Notwithstanding which the said Charles Though often thereunto required in his life tyme, the said Summe of three thousand nine hundred forty six pounds of tobacco according to the tenour forme & effect of his said bill, nor the said Richard & George to whom all and singuler the Goods & Chattles which were of the Estate of the said Charles att the tyme of his death by the Hon^{ble} Philip Calvert Esq^r chiefe Judge for probate of Wills & granting Administracōns within this Province of Maryland by Letters testamentary haue bin comitted but the same hitherto to pay have denied & still doe deny, whereupon the said Thomas saith he is damnified & hath losse to the Value of five thousand pounds of tobacco & thereupon he brings his suite

Liber W. C.

p. 5

And the said Richard & George by Christopher Rousby their Attorney come & defend the force & injury when &c and pray liberty to imparle hereunto untill next Prov^l Court & itt is granted unto them, the same day is given to the plaintiffe also

Now here att this day to witt the Eleventh day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltmore &c Anno^q Doni 1679 came the said plaintiffe by his Attorney aforesaid and offered himselfe against the said Defend^{ts} in the plea aforesaid, but the said Defend^{ts} came not but made default, therefore itt is considered that the said Thomas Groves recover against the Estate of the said Charles Gosfright as well the Summe of three thousand nine hundred forty six pounds of tobacco debt As also five hundred & forty pounds of tobacco costs of Suite And the Defend^{ts} in mercy

Gosfrights Ex^{rs} { Michael Taney late of Calvert County otherwise
ag^t { called Michael Taney of Calvert County in Mary-
Michael Taney { land was Sumoned to Answer unto Richard Mar-
sham and Geo: Lingham Exec^{rs} of the last Will &
testam^t of Charles Gosfright deceased in a plea that he render unto them one thousand five hundred sixty six pounds of tobacco which from them he unjustly detaines

And whereupon the said Richard & George by Christopher Rousby their Attorney say, that whereas the said Mich^l Taney the twentieth day of April One thousand six hundred Seventy seven by his certaine writeing Obligatory Sealed with the Seale of him the said Michael here in Court produced whose date is the same day & yeare above written, did acknowledge himselfe to owe & be truely indebted unto M^r Charles Gosfright of London M^rchant the full & just Summe of one thousand five hundred sixty & six pounds of good sound M^rchantable tobacco with cask to contain the same, to be paid to him the said Charles Gosfright his certaine Attorney heyres Er^{rs} or

Liber W. C. Adm^{rs} upon the tenth day of Octob^r next ensuing the date thereof at
 p. 6 some convenient place in Petuxent river in the County aforesaid,
 To which paym^t well & truely to be made & done he the said Michael
 did binde himselfe his heyres Ex^{rs} & Adm^{rs} firmly by those p^rsents,
 Neverthelesse the said Michael Taney the said sume of One thousand
 five hundred Sixty six pounds of tobacco unto him the said Charles
 Gosfright in his life tyme or unto them the said Richard Marsham &
 George Lingham Ex^{rs} of the last Will & testam^t of the said Charles
 since his death according to the tenour of the said writeing obliga-
 tory though often thereunto required hath not paid, but the same to
 pay hath denyed & still doth deny in hinderance of the Execution
 of the Letters testamentory to them by the Hon^{ble} Philip Calvert Esq^r
 Comissary Gen^{ll} of Maryland under the right Hon^{ble} the Lord
 Prop^{ty} granted, whereupon they say they are the worse and haue
 losse to the Value of three thousand pounds of tobacco & thereupon
 they bring their suite And the said Richard & George bring here
 into Court their Letters testamentory whereby itt may appeare to the
 Court here that they are Ex^{rs} of the last Will & testament of the
 said Charles as aforesaid.

And the said Michael Taney by Charles Boteler his Attorney
 cometh & defendeth the force & injury when &c and prayeth liberty
 to imparle hereunto untill next Provinciaall Court & itt is granted
 unto him, the same day is given to the plaintiffes also.

Now here att this day to witt the Eleventh day of Octob^r in the
 fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Bal-
 temore &c Annoq^{ue} Doni 1679 came the said p^{ts} by their Attorney
 aforesaid, & offered themselves against the said Defend^t in the plea
 aforesaid, but the said Defend^t came not but made default There-
 fore itt is considered that the said Richard Marsham & George
 Lingham Ex^{rs} as aforesaid recover against the said Michael Taney
 as well the sume of One thousand five hundred sixty & six pounds of
 tobacco debt As also five hundred forty foure pounds of tobacco
 costs of suite And the Defend^t in mercy &c

Gosfrights Ex ^{rs}	}	Michael Taney late of Calvert County otherwise
ag ^t		called Michael Taney of Calvert County Innhold ^r
Michael Taney	}	was Attached to Answer unto Richard Marsham
		& George Lingham Ex ^{rs} of the last Will & Testam ^t

of Charles Gosfright deceased in a plea that he render unto them
 the just quantity of seven thousand one hundred Eighteen pounds of
 tobacco & cask which from them he unjustly detaineth

And whereupon the said Richard & George by Christopher Rousby
 their Attorney say, that whereas one Edward Gibbs late of Som^rsett
 County & the said Michael Taney the four and twentieth day of
 April in the yeare of our Lord One thousand six hundred Seventy
 Eight by their certaine writeing Obligatory Sealed with the Seales

of them the said Edward & Michael here in Court produced whose date is the same Day & yeare above written, did acknowledge themselves to owe & be firmly bounden & indebted unto the said Charles Gosfright of Calvert County M^r chant in the full & just quantity of Seven thousand one hundred & Eight pounds of bright & large Aranocoa tobacco & caske such as the said Charles Gosfright should like & accept of, to be paid unto the said Charles Gosfright or to his certaine Attorney his heyres Ex^{rs} Adm^{rs} or assignes att the then dwelling plantacōn of him the said Charles or att some other plantacōn in the river of Petuxent or on board some Shipp in Petuxent river att the choice of him the said Charles upon the tenth of Novemb^r next ensuing the date thereof, for the which paym^t well and truely to be made, they the said Edward & Michael did binde themselves & either of them their & either of their heyres Exec^{rs} & Adm^{rs} for the whole & in the whole joyn^{tly} and severally firmly by those p^{rs}ents. Neverthelesse the said Edw^d & Michael the said Sum^e of Seven thousand One hundred & Eighteene pounds of tobacco unto the said Charles Gosfright in his life tyme or unto them the said Richard & George Ex^{rs} of the last Will & testam^t of the said Charles since his death according to the tenour of the said writeing obligatory though often thereunto required have not paid, but the said Sum^e of Seven thousand one hundred & Eighteen pounds of tobacco unto them the said Richard & George to pay hith^{to} have denyed, & the said Michael Taney still doth deny to pay the same, in hinderance of the Execucōn of the Letters testamentary to them by the Hon^{ble} Philip Calvert Esq^r Comissary Gen^l of the Province of Maryland under the right Hon^{ble} the Lord Prop^{ry} &c comitted, whereupon they say they have damage to the Value of tenn thousand pounds of tobacco & thereupon they bring their suite And the said Richard & George bring here unto Court their Letters testamentary whereby itt may appeare to the Court here that they are Ex^{rs} of the last Will & testam^t of the said Charles as aforesaid

Liber W. C.
p. 7

And the said Michael Taney by Charles Boteler his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provincia^l Court & itt is granted unto him, the same day is given to the plaintif^{fs} also

Now here att this day to witt the Eleventh day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltimore &c Annoq^{ue} Doni 1679 came the said p^{rs} by their Attorney aforesaid, & offered themselves against the said Defend^t in the plea aforesaid, but the said Defend^t came not but made default, Therefore itt is considered that the said Richard & George Ex^{rs} as aforesaid recover against the said Michael Taney as well the sum^e of Seven thousand one hundred & Eighteen pounds of tobacco debt As also five hundred forty foure pounds of tobacco costs of suite. And the Defend^t in mercy &c^a

Liber W. C. Gosfrights Ex^{rs} } Michael Taney late of Calvert County Innholder
 p. 8 ag^t } was Attached to Answer unto Richard Marsham &
 Michael Taney } George Lingham Ex^{rs} of the last Will & testam^t of
 Charles Gosfright deceased in a plea of trespass
 upon the case

And whereupon the said Richard & George by Christopher Rousby their Attorney complaine, that whereas the said Michael the tenth day of April in the yeare of our Lord One thousand six hundred Seventy seven, in consideracōn that he the said Charles (being a M^cchant) would att the speciall instance & request of him the said Michael, supply furnish & accommodate Mary the wife of the said Michael (being then intended for a voyage to England) with such Summe & Sumes of money as the said Mary should have occasion for in England that present voyage, And also in consideracōn that he the said Charles would att the like request of the said Michael pay unto James Conaway the summe of foure pounds sterling, & take upp his the said Michaels bill to the said James for the like summe, did assume upon himselfe & to the said Charles did faithfully promise that he the said Charles [*sic*] when thereunto required unto the said Charles would well & truely pay in tobacco what the said Charles should reasonably deserve for the same And the said Richard & George in fact say, that he the said Charles trusting to the promise & assumpcōn aforesaid of him the said Michael Taney afterwards to witt the third ninth & twelfth of July one thousand six hundred seventy seven did supply furnish & accomodate her the said Mary wife of the said Michael Taney for her occasions in England with severall Summes of money in all amounting to Twenty pounds sterl And also within the tyme aforesaid pay unto the said James Conaway for the said Michael the said Summe of foure pounds sterl And did take upp from the said James the said Michaels bill for the same, for all which he the said Charles did well & reasonably deserve the quantity of five thousand Seven hundred & twenty pounds of tobacco Yett the said Michael his promise & assumpcōn aforesaid in that behalfe little reguarding, but plotting & fraudulently contriveing him the said Charles Gosfright in his life tyme & them the said Richard & George Ex^{rs} of the last Will & testam^t of the said Charles since his death of the said five thousand seven hundred & twenty pounds of tobacco wholly to defraud & deceive, the same five thousand Seven hundred & twenty pounds of tobacco unto him the said Charles in his life tyme, or unto them the said Richard & George since his death hath not paid, but the same to pay hath denyed & still doth deny in hinderance of the Execucōn of the will of the said Charles Gosfright, whereupon the said Richard & George say they are the worse & haue losse to the Value of seven thousand pounds of tobacco, thereupon they bring their suite And the said Richard & George produce here in Court their Letters testamentory, whereby itt may appeare

to the Court here that they are rightfull Ex^{rs} of the last Will & Liber W. C. Testam^t of the said Charles as aforesaid.

And the said Michael by Charles Boteler his Attorney doth come p. 9
& defend the force & injury when &c and prayeth liberty to imparle
hereunto untill next Provinciaall Court, & itt is granted unto him,
the same day is given to the plaintiffes also

Att which said next Provinciaall Court came the said parties by
their Attorneys aforesaid And the said Michael by his said Attorney
saith, that he did not assume & promise in manner & forme as the
said plantiffs above in their declaracōn have declared, And this he
prayeth may be enquired of by the Countrey. And the p^{ts} likewise.
Whereupon day is given to both parties untill next Provinciaall Court

Now here att the this day to witt the fourteenth day of Octob^r
in the fourth year of the Dominion of the right Hon^{ble} Charles
Lord Baltemore &c Annoq³ Doni 1679 came as well the said plain-
tiffes as the said Defend^t by their Attorneys aforesaid And the said
Defend^t by his said Attorney saith that he cannot gainsay the action
of the said Richard & George but that the said Richard & George
ought to recover against the said Michael the aforesaid Sum^e of ffive
thousand Seven hundred & twenty pounds of tobacco Therefore itt
is considered that the said Richard Marsham & George Lingham
recover against the said Michael Taney as well the Sum^e of five
thousand seven hundred & twenty p^ds of tobacco dam^ages occasioned
by the p^rmisses As also five hundred forty foure pounds of tobacco
costs of suite. And the Defend^t in mercy &c

Gosfrights Ex ^{rs}	} Michael Taney late of Calvert County Innholder
ag ^t	
Michael Taney	

was Attached to Answer unto Richard Marsham
and George Lingham Ex^{rs} of the last Will & testa-
ment of Charles Gosfright deceased in a plea of
trespasse upon the case

And whereupon the said Richard & George by Christopher Rousby
their Attorney complaine, that whereas the said Michael Taney att
battle Creek within the County aforesaid the ninth day of July one
thousand six hundred Seventy eight, in consideracōn that the said
Charles Gosfright att severall dayes & tymes from the fifteenth day
of Novemb^r in the yeare of our Lord One thousand six hundred
Seventy Seven untill the said ninth day of July One thousand six
hundred Seventy eight, att the special instance & request of him the
said Michael, had bargained sould & delivered unto him the said
Michael one woman Servant named Mary Arthur & divers Goods &
M^rchandizes. And had also within the tyme aforesaid att the like
request of him the said Michael att Battle Creeke aforesaid given
creditt to & discharged severall persons for severall quantities of
tobacco for w^{ch} the same persons respectively stood indebted for
Goods unto him the said Charles, a particular of the Value of which

Liber W. C. said woman Servant as also of the said severall Goods and M^rchan-
 dizes & Credit given is here in Court produced amounting together
 p. 10 in the whole to Thirteen thousand one Hundred ninety three pounds
 of tobacco, did assume upon himselfe & to the said Charles did faithfully
 promise, that he the said Michael the aforesaid Summe of
 Thirteen thousand one hundred ninety three pounds of tobacco unto
 him the said Charles when he should be thereunto required would
 well and truly pay & content, Yet the said Michael his promise &
 assumptiō aforesaid little regarding, but plotting and contriveing
 him the said Charles in his life tyme, & after his decease them the
 said Richard & George Ex^{rs} of the last Will & testam^t of him the
 said Charles of the said thirteen thousand one hundred ninety three
 pounds of tobacco wholly to defraud & deceive, the same thirteen
 thousand one hundred ninety three pounds of tobacco unto the said
 Charles in his lifetyme, or unto the said Richard & George since his
 death hath not paid, but the same to pay hath denyed & still doth
 deny, in hinderance of the Execution of the last Will & testam^t afore-
 said And whereupon the said Richard & George say they are the
 worse & have losse to the Value of twenty thousand pounds of
 tobacco & thereupon they bring their suite And the said Richard &
 George produce here in Court the Letters testamentary of them the
 said Richard & George whereby itt may appeare to the Court here
 that they are Ex^{rs} as aforesaid & right have of Administracōn.

And the said Michael Taney by Charles Boteler his Attorney
 cometh & defendeth the force & injury when &c and prayeth liberty
 to imparle hereunto untill next Provinciaall Court, & itt is granted
 unto him, the same day is given to the p^{ts} also.

Now here att this day to witt the thirteenth day of Octob^r in the
 fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Bal-
 temore &c Annoq^{ue} Doni 1679 came the said parties by their Attor-
 neys aforesaid And the said Michael by his said Attorney saith,
 that he did not promise & assume in manner & forme as the p^{ts} above
 in their declaracōn have declared And of this he putts himselfe upon
 the Countrey And the p^{ts} likewise. Therefore itt is comāded the
 Sheriffe of S^t Maryes County that he cause to come here twelve
 &c by whom &c and who neither &c to recognize &c because as well &c
 On which said Thirteenth day of Octob^r in the yeare aforesaid came
 as well the said p^{ts} as the said Defend^t by their Attorneys aforesaid
 And the jurors impannelled being called likewise came, to witt
 Edward Inglish, W^m Collins, John Haslewood, Jacob Loton, Cor-
 nelius Comegijs, Richard Baily, W^m Cole, John Askin, Samuel
 Goosey, Symon Sprackling, Emanuell Ratcliffe & Edward Dorsey,
 who being Elected tryed & sworne to say the truth in the p^rmisses
 upon their Oaths doe say that the said Michael Taney did not assume
 & promise in manner & forme as the said plaintiffes above against
 him hath declared Therefore itt is considered that the said Richard

Marshall & George Lingham Ex^{rs} as aforesaid take nothing by their writt, but be in mercy for their false claime thereupon prosecuted And that the said Michael Taney goe thereof without day &c Liber W. C.

Gosfrights Ex^{rs} } Michael Taney late of Calvert County Innholder
 ag^t } was Attached to Answer unto Richard Marshall &
 Michael Taney } George Lingham Ex^{rs} of the last Will & testam^t of
 Charles Charles Gosfright deceased in a plea of p. 11
 trespas upon the ca[se]

And whereupon the said Richard & George b[y] Christopher Rousby their Attorney complaine, that whereas the said Michael Taney att severall dayes & tymes & from the sixth day of November One thousand six hundred seventy seven untill the Eighth day of July One thousand six hundred seventy Eight, att the special instance and request of him the said Michael bought had & received of him the said Charles divers Goods & M^rchandizes, a particuler of the values or first costs whereof is here in Court produced amounting to the Summe of Ninety two pounds Eighteene shillings & Seven pence. And did also the seventeenth day of August One thousand six hundred Seventy seven accept of a certaine bill or note drawne upon him the said Michael by W^m Dare M^rchant to pay to him the said Charles the Summe of two pounds tenn shillings which together in the whole with the said ninety two pounds Eighteene shillings & seven pence doe amount to the Summe of Ninety five pounds Eight shillings & Seven pence sterl. In consideracōn whereof he the said Michael did assume upon himselfe & to the said Charles did faithfully promise that he the said Michael when thereunto required would well & truly content & pay unto the said Charles such a quantity or Summe of tobacco as he the said Charles should reasonably deserve to have for the Goods & money before mencōned And the said Richard & George say, that he the said Charles did well and reasonably deserve for the p^rmisses the Summe or quantity of twenty two thousand nine hundred & three pounds And although the said Michael did pay & satisfie unto him the said Charles in his life tyme divers Summes or quantites of tobacco amounting together to twenty one thousand one hundred fifty two pounds of tobacco (a particuler whereof is here in Court produced) in part of the said twenty two thousand nine hundred & three pounds of tobacco Yet as to One thousand seven hundred fifty one pounds of tobacco residue of the said twenty two thousand nine hundred & three pounds of tobacco he the said Michael his promise & assumpcōn aforesaid in that behalfe little regarding but plotting & fradulently contriveing him the said Charles in his life tyme & after his decease them the said Richard & George Ex^{rs} of the last Will & testam^t of him the said Charles of the same One thousand Seven hundred fifty & one pounds of tobacco wholly to defraud & deceive the same One thousand Seven

Liber W. C. hundred fifty one pound[s] of tobacco unto the said Charles in his life tyme for w^{ch} the said Richard & George since his death hath not paid though often thereunto required, but the same to pay hath denyed & still doth deny, in hinderance of the Execution of the last Will & testam^t aforesaid And whereupon the said Richard & George
 p. 12 say they are The worse & have losse to the Value of three thousand pounds of tobacco & thereupon they bring their suite And the said Richard & George produce here in Court their Letters whereby itt may appeare to the Court here that they are Ex^{rs} of the last Will & testam^t of the said Charles Gosfright as aforesaid & right have of Administracōn

And the said Michael Taney by Charles Boteler his Attorney cometh & defendeth the force and injury when &c & prayeth liberty to imparle hereunto untill next Provincial Court & itt is granted unto him, the same day is given to the plaintiffes also

Now here att this day to witt the thirteenth day of Octob^r in the fourth yeare of the Dominion of Charles &c Anoꝝ Doni 1679 came the said parties by their Attorney aforesaid And the said Michael by his said Attorney saith, that he did not assume & promise in manner & forme as the plaintiffes have above declared against him And of this he putts himselfe upon the Countrey And the plaintiffes likewise. Therefore itt is comāded the Sheriff of S^t Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c on which said thirteenth day of Octob^r came the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Edward English, W^m Collins, John Haslewood, Jacob Loton, Cornelius Comegijs, Richard Baily, W^m Cole, John Askin, Samuell Goosey, Symon Sprackling, Emanuel Ratcliffe, & Edward Dorsey, who being Elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say that the said Michael Taney did assume & promise in manner and forme as the said plaintiffes have above declared against them And they asseesse the damage of the said plaintiffes to seven thousand five hundred thirty three pounds of tobacco. Therefore itt is considered that the said Richard Marsham & George Lingham Ex^{rs} as aforesaid recover against the said Michael Taney as well the aforesaid Sum^e of seven thousand five hundred thirty three pounds of tobacco damages by the jurors aforesaid in forme aforesaid assessed As also one thousand Seventy foure pounds of tobacco costs of suite And the Defend^t in mercy &c

Michael Taney	}	Richard Marsham & George Lingham late of Cal-
ag ^t		vert County Ex ^{rs} of the last Will & testam ^t of
Gosfrights Ex ^{rs}	}	Charles Gosfright late of Calvert County deceased
		were Attached to Answer unto Michael Taney of a

plea of trespass upon the case

And whereupon the said Michael by Charles Boteler his Attorney Liber W. C.
complaineth, that whereas the said Charles Gosfright in his life tyme
(that is to say) upon the third day of Novemb^r in the yeare of our
Lord God One thousand Six hundred Seventy & seven & att severall
dayes and tymes since, the said Michael Taney being an Innholder
att Battle Creeke in Calvert County, in consideracō of severall
liquors & dyetts as well by the hands of him the said Charles Gos-
fright as by the hands of divers other persons att the special instance
& request of him the said Charles bought Had & received, As also in
consideracō of severall parcells of tobacco att the request & for the p. 13
use & acc^t of the said Charles paid unto divers persons, a particuler
of all which is here in Court produced, amounting in the whole to
the Sum^e of foure thousand ninety & foure pounds of tobacco, the
said Charles did assume upon himselfe & to the said Michael did
faithfully promise, that he the said Charles Gosfright when there-
unto required the said Sum^e of foure thousand ninety foure pounds
of tobacco unto the said Michael would well and truely pay & satisfie
And the said Michael in fact saith, that trusting to the faithfull
promise & assumpcō of him the said Charles made as aforesaid,
did sell & deliver unto him the said Charles & divers other persons
att his request severall liquors & dyetts, & did pay for him severall
sum^es of tobacco unto severall persons amounting in the whole to
the Sum^e of foure thousand ninety foure pounds of tobacco Yet
the said Charles Gosfright his said promise & assumpcō not regard-
ing, but plotting & fraudulently intending him the said Michael of
the said foure thousand ninety foure pounds of tobacco to deceive,
the said Charles in his life tyme the said four thousand ninety foure
pounds of tobacco though often thereunto required hath not paid
nor satisfied, nor the said Richard & George to whom Execution of
the testam^t & all & singuler the Goods & Chattles rights & creditts
which were of the said Charles att the tyme of his death since his
death have bin comitted, but the same to him to pay haue hitherto
denyed & still doe deny whereupon the said Michael saith he is damni-
fied and hath losse to the Value of six thousand pounds of tobacco &
thereupon he brings his suite

And the said Richard & George by Christopher Rousby their
Attorney come & defend the force & injury when &c & pray liberty
to imparle hereunto untill next Provinc^l Court & itt is granted unto
them The same day is given to the plaintiffe also

Now here att this day to witt the thirteenth day of Octob^r in the
fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Bal-
temore &c Annoq^o Doni 1679 came the said parties by their Attorneys
aforesaid And the said Richard & George by their said Attorney say,
that the said Charles Gosfright in his life tyme did not assume &
promise in manner & form as the said plaintiffe hath above declared
And of this they putt themselves upon the Countrey And the plain-

Liber W. C. tiffe likewise Therefore itt is comāded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c on which said thirteenth day of Octob^r in the yeare aforesaid came the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Edward English, W^m Collins, John Haslewood, Jacob Loton, Cornelius Comegijs, Richard Baily, W^m Cole, John Askin, Samuell Goosey, Symon Sprackling, Emanuel Ratcliffe & Edward Dorsey who being Elected tried & sworne to say the truth in the p^rmisses upon their Oaths doe say, that the said Charles Gos-
 p. 14 fright in his life tyme did assume & promise in manner And forme at the plaintiffe hath above declared And they assesse the damage of the said plaintiffe to foure thousand ninety foure pounds of tobacco Therefore itt is considered that the said Michael Taney recover against the said Richard Marsham & George Lingham Ex^{rs} as aforesaid as well the Summe of foure thousand ninety foure pounds of tobacco damages by the jurors aforesaid in forme aforesaid assessed As also Nine hundred Seventy two pounds of tobacco cost of suite And the Defend^{ts} in mercy &c

Michael Taney	} Richard Marsham & George Lingham late of Calvert County Exec ^{rs} of the last Will & testam ^t of Charles Gosfright late of Calvert County deceased were Attached to answer unto Michael Taney of a plea of trespass upon the case.
ag ^t	
Gosfrights Exec ^{rs}	

And whereupon the said Michael Taney by Charles Boteler his Attorney complaineth, that whereas the said Charles Gosfright upon the tenth day of May in the year of our Lord One thousand six hundred Seventy & seven, in consid^racōn that the said Michael Taney would att the speciall instance & request of the said Charles take severall bills of several persons for tobacco due to him the said Charles in the name of him the said Charles Gosfright, And also would shipp severall hogsheads of tobacco on board Cap^t Webber, And also would weigh marke naile & receive Seventy five hogsheads of the tobacco of the said Charles Gosfright And also would board & accomodate att his house the said Charles Gosfright & his man & severall other persons retayners to the said Charles And also in consideracōn that the said Michael would be assistant to him the said Charles in setling his Accompts & attending him in his last sicknes, & doe severall other things for him the said Charles a particular, whereof is here in Court produced, the said Charles did assume upon himselfe & to the said Michael did faithfully promise, that he the said Charles when thereunto required would well & truely content & pay unto the said Michael such a Summe of tobacco as he the said Michael should reasonably deserve to haue for his paines & labour therein And the said Michael in fact saith that trusting to the

faithfull promise & assumpcōn of him the said Charles made as aforesaid did take severall bills of severall persons in the name of the said Charles, And did looke after & shipp on board Cap^t Webber twenty six hogsheads of tobacco for the said Charles And did also weigh nayle marke & receive Seventy fīue hogsheads of tobacco for him the said Charles, & did board & accomodate att his house the said Charles Gosfright & his man & severall other persons retayners to the said Charles, & was assistant to him in setling his accompts & attending on him in his last sicknes, & severall other things for him did doe a p^ticuler whereof is here in Court produced for which he saith he doth deserve to have the Sum^e of tenn thousand two hundred twenty eight pounds of tobacco Yet the said Charles his said promise not regarding, though often thereunto required in his life tyme the said Charles the said Michael hath not in any manner contented & paid for the same, nor the said Richard & George since the death of the said Charles to whom Execution of the testam^t & all & singuler the Goods & Chattels rights & creditts which were of the said Charles att the tyme of his death since his death have bin comitted but him in any wise to content & pay for the same hitherto have & still doe deny & refuse, whereupon the said Michael saith he is damnified & hath losse to the Value of ffifteene thousand pounds of tobacco & thereupon he brings his suite. p. 15

And the said Richard & George by Christopher Rousby their Attorney come & defend the force & injury when &c and pray liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto them, the same day is given to the plaintiffe likewise

Now here att this day to witt the thirteenth day of Oct^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq^{ue} Doni 1679 came the said parties by their Attorneys aforesaid And the said Richard & George by their said Attorney say, that the said Charles Gosfright did not assume & promise in his life tyme in manner & forme as the plaintiffe hath above declared And of this they putt themselves upon the Countrey And the plaintiffe likewise. Therefore itt is comāded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c On which said thirteenth day of October in the yeare aforesaid came the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Edward English, W^m Collins, John Haslewood, Jacob Loton, Cornelius Comegijs, Richard Bailly, W^m Cole, John Askin, Samuell Goosey, Symon Sprackling, Emanuel Ratcliffe & Edward Dorsey who being Elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say that the said Charles Gosfright in his life tyme did assume & promise in manner & forme as the said plaintiffe hath above declared And they assesse the damage of the said plaintiffe to tenn Thousand two

Liber W. C. hundred twenty eight pounds of tobacco Therefore itt is considered that the said Michael Taney recover against the said Richard Marsham & George Lingham Exec^{rs} as aforesaid as well the Summe of tenn thousand two hundred twenty Eight pounds of tobacco damages by the jurors aforesaid in forme aforesaid assessed As also Nine hundred Seventy two pounds of tobacco costs of Suite And the Defend^{ts} in mercy &c

John Quigley } Richard Sweatnam late of S^t Maryes County
ag^t } otherwise called Richard Sweatnam of the City
Richd Sweatnam } of S^t Maryes in the Province of Maryland Car-
penter was Sumoned to answer unto Cap^t John
Quigley of the City of S^t Maryes, M^rchant of a plea that he render
unto him the just & neate quantity of five thousand pounds of good
sound M^rchantable tobacco & cask which to him he oweth & unjustly
detaineth

p. 16 And whereupon the said Cap^t John Quigley by Robert Ridgely
his Attorney saith, that whereas the said Richard Sweatnam upon
the Seventeenth day of ffebruary in the yeare of our Lord One
thousand six hundred Seventy six, by his certaine bill or writing
obligatory sealed with the Seale of him the said Richard & here in
Court produced whose date is the day & yeare aforesaid did acknowl-
edge himself to be owing & stand justly indebted unto Cap^t John
Quigley of the City of S^t Maryes Merchant in the just & neat quan-
tity of five thousand pounds of good sound & M^rchantable tobacco &
caske to be paid to the abovesaid John Quigley his heyres Ex^{rs} Adm^{rs}
or assignes att some convenient place in S^t Maryes County att or upon
the tenth day of Octob^r next ensuing the date thereof, the abovesaid
Richard Sweatnam did thereby binde himself his heyres Exec^{rs}
Adm^{rs} & assignes firmly by those p^rsente, Notwithstanding which the
said Richard Sweatnam the said Summe of five thousand pounds of
tobacco unto the said John Quigley according to the tenour forme &
effect of the same bill hath not paid nor satisfied though often there-
unto required, but the same to pay hath denyed & still doth deny to
the damage of the said John six thousand pounds of tobacco, and
thereupon he brings his suite

And the said Richard Sweatnam by Kenelm Cheseldyn his At-
torney cometh & defendeth the force & injury when &c and prayeth
liberty to imparle hereunto untill next Provinciaall Court & itt is
granted unto him, the same day is given to the plaintiffe likewise

At which said next Provinciaall Court came the said parties by their
Attorneys aforesaid And the said Richard by his said Attorney saith,
that he the said Richard hath paid the said Summe of ffive thousand
pounds of tobacco according to the tenour of the said writeing
obligatory And this he is ready to averr, & prayeth judgem^t whither
the said John his action aforesaid ought to have And the said John

Liber W. C.

Quigley saith, that he by any thing before alleadged ought not to be barred from haveing his action aforesaid against the said Richard Sweatnam for the debt aforesaid, because he saith, that the said Richard Sweatnam the said Summe of five thousand pounds of tobacco to the said John according to the tenour of the said bill obligatory hath not paid And this he prayes may be enquired of by the Countrey. whereupon day is given to both parties untill next Provinciaall Court.

Now here att this day to witt the Eleventh day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq^{ue} Doni 1679 came the said John Quigley by his Attorney aforesaid, & offered himselfe against the said Richard Sweatnam in the plea aforesaid, but the said Richard came not. but made default Therefore itt is considered that the said John Quigley recover against the said Richard Sweatnam as well the Summe of five thousand pounds of tobacco debt As also five hundred Seventy six pounds of tobacco costs of Suite And the Defend^t in mercy &c

Richard Johns	} James Harrison late of Calvert County taylor was
ag ^t	
James Harrison	

Attached to Answer unto Richard Johns in a plea of trespas upon the Case

And whereupon the said Richard Johns by George Parker his Attorney complaineth, that whereas the said Richard Johns The twentieth day of July in the yeare of our Lord p. 17 One thousand six hundred Seventy seven att the Clifts in Calvert County in the said Province being possessed as of his own proper Goods & Chattles of one certaine man Servant named John Thompson a Taylor by trade neer two yeares to serve the said Richard, the said Servant in the day & yeare aforesaid from the service of the said Richard without the leave of the said Richard departed & ran away And the said Richard being informed that the said Servant was fled into Virginia, the said James Harrison the first day of July then next following, in case the said Richard Johns him the said James would satisfie & pay the Summe of one thousand pounds of tobacco for his paines labour & trouble in goeing to Virginia to take up the said Servant, & give unto him the said James full power under his hand & Seale to take up and apprehend the said Servant in Virginia aforesaid And if the said James thought fitt to sell & dispose of the said Servant in Virginia aforesaid, then to have full power to doe the same the said James did assume upon himselfe & to the said Richard did faithfully promise that he the said James would travell into Virginia aforesaid & there looke after & by all lawfull wayes & meanes endeavour to apprehend the said Servant, and if possible bring him back into this Province, & deliver him to the hands & possession of the said Richard. But if when he should chance to

Liber W. C. Seize & apprehend the said Servant in Virg^a if he should finde any difficulty in bringing him back into this Province to the said Richard, then the said James the said Servant in the name & for the use of the said Richard would sell & dispose for the best profit of the said Richard either money or tobacco And the same pay or secure to be paid to the said Richard, And the said Richard in fact saith, that trusting to the promise & assumpcōn of the said James to the said Richard in this behalfe so as aforesaid made, he the said Richard the tenth day of August in the yeare aforesaid did satisfie & pay unto the said James the Summe of One thousand pounds of tobacco And did giue unto him the said James full Power under his hand & seale to take up & apprehend the said Servant in Virginia aforesaid, & if he thought fitt there to Sell & dispose the said Servant in Virginia aforesaid for the best profitt & advantage of the said Richard And the said Richard further in fact saith, that the said James pursuant to the said Agreem^t the said first day of July in the yeare aforesaid did arrive in Virginia aforesaid And the said Servant named John Thompson did take upp & apprehend att Nominy in Virginia aforesaid And the said Servant by vertue of the power aforesaid to the said by the said Richard given in manner & forme as aforesaid, did Assigne transferr & sell for the tyme he had then to serve the said Richard unto William Hardege of Nominy in the Colony of Virg^a aforesaid M^rchant for the Summe of Six thousand pounds of tobacco. Yet the said James his promise & assumpcōn so as aforesaid made not regarding, but contriveing & fradulently intending him the said Richard of the same six thousand pounds of tobacco

p. 18 craftily & subtilly to deceive & defraud, the Fifth day of August in the yeare aforesaid the said Six thousand pounds of tobacco for the Servant aforesaid in his owne name did secure, & the same to his owne use did convert & dispose, And to make paym^t of the same to the said Richard although often thereunto required, hath denyed & to doe the same as yet doth deny to the damage of the said Richard twelve thousand pounds of tobacco And thereupon he bringeth his suite

And the said James Harrison by Charles Boteler his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court, & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Eleventh day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltimore &c Annoq³ Doni 1679 came the said parties by their Attorneys aforesaid And the said James Harrison by his said Attorney saith, that he did not promise & assume in manner & forme as the plaintiffe above in his declaracōn hath declared And of this he putts himselfe upon the Countrey And the said plaintiffe likewise Therefore it is comāded the Sheriffe of S^t Maryes County that he cause

to come here twelve &c by whom &c and who neither &c to recognize Liber W. C.
 &c because as well &c On which said Eleventh day of October in the
 yeare aforesaid came the said parties by their Attorneys aforesaid
 And the jurors impannelled being called likewise came to witt Edw^d
 Inglish, W^m Dare, Henry Hardy, John Haslewood, Cornelius
 Comegijs, Richard Baily, W^m Cole, Jacob Loton, John Askin, Samuel
 Goosey, John King & Robert Mason who being elected tryed & sworne
 to say the truth in the p^rmisses upon their Oaths doe say, that the said
 James Harrison did assume & promise in manner & forme as the said
 Richard Johns hath above declared against him And they assesse the
 damage of the said Richard Johns to twenty two pounds tenn shil-
 lings sterl or foure thousand five hundred pounds of tobacco. Which
 verdict of the jurors aforesaid being read & heard, the said James
 Harrison by his Attorney aforesaid moved the Court here in Arrest
 of judgm^t and prayed day untill the fifteenth day of the same Octob^r
 & itt is granted unto him, the same day is given to the plaintiffe also.

On which said ffifteenth day of Octob^r in the yeare aforesaid
 came the said parties by their Attorneys aforesaid And the said
 James Harrison by his said Attorney saith, that judgm^t ought to be
 Arrested, for that the verdict is altogether uncertaine in that the
 jury haue found for the plaintiffe twenty two pounds ten shillings
 sterl or foure thousand five hundred pounds of tobacco, which being
 things of different kinde & value, & not appointed by the jury att
 whose choice the same shall be, make the verdict wholly uncertaine
 And therefore prayeth that judgm^t may be stayed which being read
 & heard itt seemeth to the Justices here that the reason aforesaid is
 insufficient in Law to Arrest judgement upon the Verdict of the
 jurors aforesaid Therefore itt is considered that the said Richard
 Johns recover against the said James Harrison as well the Sum^e of
 foure thousand five Hundred pounds of tobacco damages by the
 jurors aforesaid in forme aforesaid assessed As also seventeen hun- p. 19
 dred & seventy pounds of tobacco costs of Suite And the Defend^t
 in mercy &c.

Jacob Liseler } Marke Cordea late of S^t Maryes County gentl other-
 ag^t } wise called Marke Cordea of S^t Maryes County in
 Marke Cordea } the Province of Maryland M^cchant was Sum^ooned
 to Answer unto Jacob Leisler of New Yorke
 M^cchant of a plea that he render unto him the Sum^e of fifty Eight
 thousand Eight hundred & Eighty two pounds of good sound M^cchant-
 able tobacco & caske which to him he oweth & unjustly detaineth.

And whereupon the said Jacob by Robert Ridgely his Attorney
 saith, that whereas the said Marke Cordea the twelfth day of May
 one thousand six hundred Seventy seven by his certaine writing
 obligatory sealed with the Seale of him the said Marke & here in

Liber W. C. Court produced whose date is the day & yeare aforesaid, did acknowledge himselfe to be indebted unto the said Jacob in the Summe ffifty Eight thousand Eight hundred & Eighty two pounds of good sound M^rchantable tobacco & cask payable upon all demands To which payment well & truely to be made to him his heyres Exec^{ts} Attorneys or assignes, the said Marke did binde himself his heyres Exec^{ts} & Adm^{ts} firmly by those p^rsents. Notwithstanding which the said Marke the said Summe of ffifty Eight thousand Eight hundred & Eighty two pounds of tobacco to him the said Jacob Leisler according to the tenour of the said writeing obligatory although often thereunto required hath not paid, but the same to pay hath denyed & as yet doth deny whereupon the said Jacob saith he is damnified & hath losse to the Value of Eighty thousand pounds of tobacco, & thereupon he produceth his suite

And the said Marke Cordea by Robert Carvile his Attorney cometh & defendeth the force & injury when &c And the said Marke prayeth the hearing of the writing Obligatory aforesaid, & itt is read unto him, he also prayeth the hearing of the Condiçõn of the same writing Obligatory, & itt is read unto him in these words The Condiçõn of this Obligacõn is such, That of the above bound Marke Cordea his heyres Exec^{ts} or Adm^{ts} shall well and truely pay unto the above named Jacob Leisler his heyres Exec^{ts} Adm^{ts} Attorneys or assignes the Summe of twenty nine thousand foure hundred forty one pounds of good sound M^rchantable tobacco in S^t Maryes County upon his Plantacõn upon the first demand after the tenth of Octob^r next ensuing (being for Negroes received from the said Leisler) Then this p^rsent Obligacõn to be void & of none Effect, otherwise to stand in full forme & Vertue to him being read & heard the said Marke

p. 20 Cordea by said Attorney aforesaid Prayeth liberty to imparle hereunto untill next Provinciaall Court, & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the ffifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltimore &c Annoq^{ue} Doni 1679 came the said parties by their Attorneys aforesaid And the said Marke Cordea by his Attorney aforesaid saith, that as to ffifteene thousand six hundred fifty six pounds of tobacco part of the debt in the Declaracõn mencõned he cannot gainsay, for that the same remains unpaid upon the writing obligatory aforesaid Therefore itt is considered that the said Jacob Leisler recover against the said Marke Cordea as well the Summe of fifteen thousand six hundred fifty & six pounds of tobacco debt As also six hundred pounds of tobacco costs of suite And the said Defend^t from thence in mercy And the said plaintiffe in mercy for his false plaint against the said Defend^t for the residue of the debt aforesaid And the said Defend^t may goe from thence without a day &c

Memorandum that the plaintiffe being present in Court, did accept of the abovesaid judgem^t Liber W.C.

Jacob Leisler } Marke Cordea late of S^t Maryes County M^{ch}ant
ag^t } was Attached to Answer unto Jacob Leisler of New
Marke Cordea } Yorke Merchant of a plea of trespas upon the case

And whereupon the said Jacob Leisler by Robert Ridgely his Attorney complaineth, that whereas the said Marke Cordea was indebted to the said Jacob Leisler the Summe of ninety Eight pounds currant sterling money of England. And being so indebted the said Marke Cordea did in consid^racōn thereof the twelfth day of May in the yeare of our Lord One thousand six hundred Seventy & seven draw three bills of Exchange according to the Customs of Merchants & signed with the proper hand of the said Marke Cordea & directed to one M^r Henry Coutary M^{ch}ant in London for the payment of the said Ninety Eight pounds at fifty dayes after sight of any of the said three bills of Exchange either of the other two not being paid, unto the said Jacob Leisler or his order, the value thereof being received of the said Jacob Leisler in Maryland And the said Marke Cordea did then & there assume Upon himselfe & to the said Jacob did faithfully promise, that if the said Henry Coutary the said Ninety Eight pounds to him the said Jacob or his order should not well & truely pay according to the tenour of the said bills of Exchange, that he the said Marke Cordea would well & truly pay the same when thereunto required And the said Jacob Leisler in fact saith that he the said Jacob did under his hand order the first of the said bills of Exchange to be paid unto M^r John Dervill Merchant in London, who on the behalfe of the said Jacob on the fourth day of July in the yeare of our Lord One thousand six hundred Seventy seven aforesaid did deliver the same to Abraham DeSmith Notary publick And Tabellion Royall p. 21
resideing in London to demand the same which said Notary the said fourth day of July in the yeare aforesaid att the request of the said John Dorvill Merchant haveing in his hands said bill of Exchange, the said Notary went to the house of the said Henry Coutary & shewed unto the said Henry Coutary the said first bill of Exchange for the said Ninety Eight pounds sterling drawne by the said Marke Cordea on the said Henry Coutary payable to the said Jacob Leisler or his order, & by the said Leisler ordered on the back thereof to be payd unto the said John Dorvill And the said Notary then & there demanded of him the said Henry Coutary to accept thereof, whereupon the said Coutary returned the said Notary for Answer, that he would not accept of the said bill for want of effects, therefore the said Notary did protest the aforesaid bill of Exchange for non acceptance against the said M^r Henry Coutary, as also against the drawer thereof & all others whom itt doth shall or may

Liber W. C. any wayes concerne, of & for all costs da[m]ages & expences Interest Exchange & Reexchange by reason of the non acceptance already had & sustained & hereafter to be had & sustained for to recover the same according to Law & Justice, All which was done & protested by the said Abraham DeSmith, Notary publick & tabellion royall lawfully authorized the day & yeare aforesaid And because the said Notary was p[re]sent & did see heare & know all the said things acted & done as they are before recited the day & place aforesaid, he did therefore to a certaine instrument of Protest subscribe his name and putt to his wonted & accustomed Seale being requested to Certifie & testifie the p[re]misses, which said instrument of Protest is by the said Jacob Leisler here in Court produced Yet the aforesaid Marke Cordea his promise & assumption so as aforesaid made little regarding, but plotting contriving and fraudulently intending him the said Jacob Leisler of the said Ninety Eight pounds craftily & subtly to deceive & defraud, the said ninety Eight pounds to him the said Jacob hath not paid although he hath bin often thereunto requested, but doth utterly refuse to pay the same, by which the said Jacob Leisler the whole profitt gaines & advantage which he with the said Ninety Eight pounds sterling if itt had bin paid him according to the promise of the said Marke Cordea in the behalfe made, by buying selling & lawfully bargaining with the same might have had & gained is now totally lost & deprived of, whereupon he saith he is damnified & hath da[m]age to the Value of two hundred pounds sterling, & thereupon he bringeth his suite And the said Jacob bringeth here into Court as well the said bill of Exchange as the instrument of Protest, whereby the p[re]misses may the more sufficiently appeare unto the Court in manner & forme as is aforesaid

And the said Marke Cordea by Robert Carville his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court, & itt is granted unto him, the same day is given to the plaintiffe also.

p. 22 Now here att this day to witt the ffifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq[ue] Doni 1679 came the said the said parties by their Attorneys aforesaid And the said Marke Cordea by his said Attorney saith, that he can not gainsay the said action of the said Jacob Leisler, for that the said Jacob ought to recover against the said Marke Cordea the aforesaid sume of Eight ninety Eight pounds sterl with thirty per Cent da[m]ages Therefore itt is considered that the said Jacob Leisler recover against the said Marke Cordea as well the aforesaid Sume of Ninety Eight pounds of sterling together with twenty nine pounds Eight shillings da[m]ages And also five hundred ninety two pounds of tobacco costs of suite And the Defend^t in mercy &c

M^r Carville

Liber W. C.

I doe hereby authorize & appoint you to appeare for me att the suite of Jacob Leisler in a plea of debt, & to confesse judgm^t for ffifteene thousand six hundred fifty & six pounds of tobacco with costs of suite As also to another accoⁿ att the suite of the said Leisler in a plea of trespasse of the case upon a bill of Exchange protested And to confesse judgm^t to the same with thirty p Cent damages & costs And for yo^r so doing this shall be yo^r warrant As wittnes my hand this ffifteenth day of Octob^r in the yeare of our Lord 1679.

Mark Cordea

Test W^m Crosse

S^t Maryes May the 12th 1677

Fifty dayes after sight of this my first bill of Exchange, my second & third not being paid, pay to Jacob Leisler or order the Sum^e of Ninety Eight pounds sterling money of England the Value whereof I have received of said Jacob Leisler make good payment & place itt to the accompt of your friend p advice

Marke Cordea

To M^r Harry Coutarie M^cchant in London
was Endorsed

Att Canterbury 1677. 9 July Mons^r Henry Coutarie Pay the contents of the within mençoined bill of Exchange to Master John Dorville, his receipt will be yo^r discharg

V L Dienaer
Jacob Leisler

On this day the fourth day of July Anno Doni One thousand six hundred & seventy seven, att the request of M^r John Dorville of London M^cchant I Abraham deSmith Notary publick & Tabellion royall resideing in London haveing in my hands a certaine bill of Exchang whereof the above written is a true copy, went to the dwelling house of M^r Henry Coutarie, & shewed unto the said Henry Coutarie the afore mencōnd bill of Exchange, & demanded of him the acceptance thereof whereunto he returned me for Answer, that he would not accept the said bill for want of Effects. Therefore I the said Notary did as I hereby doe Protest the aforesaid bill of Exchange for non acceptance against the said M^r Henry Coutarie as also against the drawer Thereof & all others whom itt doth shall or may any wayes concerne of & for all cost damages & expences intrest exchange & reexchange by reason of the nonacceptance already had & sustained, & hereafter to be had & sustained for to recover the same according to Law & justice. This done & protested in London the day & yeare first above written. Quod attestor sub manu ac Sigillo mei officij.

p. 23

(locus sigilli)

Abraham deSmith Notar pub
1678

upon, by which the said Robert remaineth against the said Gerard thereof wholly undefended Therefore itt is considered that the said Robert Carville recover against the said Gerard Slye Adm^r as aforesaid as well the Sum^e of foure thousand foure hundred pounds of tobacco debt As also six hundred sixty two pounds of tobacco costs of suite And the Defend^t in mercy &c

Liber W. C.

Marmaduke Semme	} Gerard Slye late of S ^t Maryes County Adm ^r of all & singuler the Goods & Chattles of Richard Chillman deceased was Sumōned to Answer unto Marmaduke Semme of a plea that he render unto him three thousand seven hundred & tenn pounds of tobacco which from him he unjustly detaineth
ag ^t	
Gerard Slye Adm ^r Richard Chillman	

And whereupon the said Marmaduke by Robert Carville his Attorney saith, that whereas the said Richard upon the thirtieth day of August One thousand six hundred Seventy & seven, by his certaine bill or writing Obligatory Sealed with the Seale of him the said Richard & here in Court produced whose date is the day & yeare abovesaid, did acknowledge himselfe to be firmly bound unto the said Marmaduke Semme in the full & just Sum^e of three thousand Seven hundred & tenn pounds of sound M^rchantable tobacco in caske to be paid to the said Marmaduke in some convenient place in S^t Maryes County upon all demands. To the which paym^t to be well & truely made he did binde himselfe his heyres Ex^{rs} & Adm^{rs} Yet notwithstanding the said Richard in his life tyme nor the said Gerard since his death the said Sum^e of three thousand seven hundred & tenn pounds of tobacco to him the said Marmaduke though often thereunto requested hath not paid or satisfied, but the same to pay hath hitherto & still doth deny & refuse to pay the same to the damage of the said Marmaduke ffive thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Gerard Slye by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and saith that he is not informed by the said Gerard of any answer by him to the action of the said Marmaduke to be given And nothing else saith thereupon, by which the said Marmaduke remaineth against the said Gerard thereof wholly undefended Therefore itt is considered by the Court here this day to witt the ffifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Doni 1679 That the said Marmaduke Semme recover against the said Gerard Slye Adm^r as aforesaid as well the Sum^e of three thousand Seven hundred & tenn pounds of tobacco debt As also Six hundred sixty two pounds of tobacco costs of suite And the Defend^t in mercy &c

Liber W. C. p. 25	W ^m Cole & ux: Exec ^x Rochford ag ^t Gerard Slye Adm ^r Chillman	}	Gerard Slye late of S ^t Maryes County Adm ^r of all and singuler the Goods & Chattles of Richard Chillman deceased was Sumoned to Answer unto W ^m Cole & Margaret ^t his wife Ex ^x of the last Will & testam ^t of Michael Rochford deceased of a plea that he render unto them the Summe of two thousand pounds of tobacco which from them he unjustly detaines
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And whereupon the said W^m & Margaret^t by Robert Carville their Attorney say, that whereas the said Richard upon the fourth day of April in the yeare of our Lord One thousand six hundred Seventy Eight, by his certaine bill or writing obligatory Sealed with the Seale of the said Richard & here in Court produced whose date is the day & yeare abovesaid did confesse & acknowledge himselfe to be holden & firmly bound unto the said Michael in the just & full Summe of two thousand pounds of good sound & M^cchantable tobacco in caske to be paid to the said Michael his Exec^{rs} Adm^{rs} or assignes att or before the tenth day of Octob^r then next in some convenient place in Petuxent or S^t Maryes County To which payment well & truely to be made he bound himselfe his heyres Ex^{rs} & Adm^{rs} by those p^rsents Yet notwithstanding the said Richard in his life tyme or the said Gerard since his death the said Summe of two thousand pounds of tobacco to the said Michael in his life tyme or to the said Margaret^t since his death while she was sole, nor to the said W^m and Margaret^t since their intermarriage though often thereunto requested hath not paid or satisfied, but the same to pay & satisfie hath hitherto & still doth deny & refuse to the damage of the said W^m & Margaret three thousand pounds of tobacco & thereupon they bring their suite And the said William and Margaret^t bring here her Letters Testam^tentory, whereby itt may appeare to the Court here that she is Exec^x & right hath of Administracōn

And the said Gerard Slye by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and saith that he is not informed by the said Gerard of any Answer by him to the action of the said W^m & Margaret to be given, & nothing else saith thereupon, by which the said plaintiff remaineth against the said Defend^t therefore wholly undefended Therefore itt is considered by the Court here this day to witt the fifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Doni 1679 that the said W^m Cole and Margaret^t his wife Exec^x as aforesaid recover against the said Gerard Slye Adm^r as aforesaid as well the Summe of two thousand pounds of tobacco debt As also six hundred Sixty two pounds of tobacco costs of suite And the Defend^t in mercy &c

Miles Grey	} Gerard Slye Adm ^r of all & singuler the Goods	Liber W. C.
ag ^t		
Gerard Slye Adm ^r		
Richd Chillman	Chattles rights & creditts' which were of Richard	
	Chillman deceased was Sum ^o oned to Answer	
	unto Miles Grey of a plea that he render unto	
	him the just & full quantity of three thousand	
	two hundred pounds of Sound M ^r chantable tobacco & cask which	p. 26
	from him he unjustly detaineth	

And whereupon the said Miles Grey by Robert Ridgely his Attorney saith, that whereas the said Richard Chillman in his life tyme to witt the Sixth day of Decemb^r One thousand six hundred Seventy seven by his certaine bill ob[lig]atory sealed with the Seale of him the said Richard & here in Court produced whose date is the day & yeare aforesaid, did binde himselfe his heyres Ex^{rs} & Adm^{rs} to pay unto the said Miles his heyres Exec^{rs} Adm^{rs} or assigns the just & full quantity of three thousand two hundred pounds of sound M^rchantable tobacco & cask to be paid convenient in Som^rsett County att or before the tenth day of Octob^r next ensuing the date of the same bill Obligatory Notwithstanding which the said Richard Chillman in his life [tym]e nor the said Gerard Slye since his death to whom Adm^on of all & singuler the Goods Chattles rights & creditts which were of the said Richard in his life tyme since his death hath bin comitted, the said three thousand two hundred pounds of tobacco to him the said Miles according to the tenour of the said bill Obligatory although often thereunto required have not paid, but the same to pay hath denyed & gainsayed, & to pay the same as yet doth deny & gainsay, whereupon the said Miles saith he is damnified & hath losse to the value of five thousand pounds of tobacco & thereupon he bringeth his suite

And the said Gerard Slye by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and saith nothing in barr or avoidance of the action aforesaid of him the said Miles Grey, whereupon the aforesaid Miles remaineth against the said Gerard thereof wholly undefended, Therefore itt is considered by the Court here this day to witt the thirteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq^{ue} Doni 1679 that the said Miles Grey recover against the said Gerard Slye Adm^r as aforesaid as well the Sum^e of three thousand two hundred pounds of tobacco debt As also five hundred forty foure pounds of tobacco costs of suite So that Execution thereof cease untill Assetts shall come to the hands of the said Adm^r And the Defend in mercy &c

Miles Grey	} Gerard Slye Adm ^r of all & singuler the Goods
ag ^t	
Gerard Slye Adm ^r	
Richard Chillman	Chattles rights & creditts which were of Richard
	Chillman deceased was Sum ^o oned to answer unto
	Miles Grey of a plea that he render unto him the
	full & just Sum ^e of two thousand Seven hundred

Liber W. C. pounds of good sound M^rchantable leafe tobacco in cask which from him he unjustly detaineth

And whereupon the said Miles Grey by Robert Ridgely his Attorney saith, that whereas the said Richard Chillman in his life tyme to witt the Sixteenth day of ffebruary in the yeare of our Lord One thousand six hundred seventy & seven by his certaine bill Obligatory Sealed with the Seale of him the said Richard & here in Court produced whose date is the day & yeare aforesaid, did acknowledge
 p. 27 himselfe to owe & stand indebted unto the said Miles in the Full & just Summe of two thousand seven hundred pounds of good sound M^rchantable leafe tobacco in cask, to be paid att or before the tenth day of Octob^r next ensuing the date of the same bill Obligatory att some convenient place in Som^rsett County to be paid unto the said Miles his heyres Ex^{rs} Adm^{rs} or assignes To which paym^t well & truely to be made the said Richard did binde himselfe his heyres Ex^{rs} & Adm^{rs} firmly by those p^rsents Notwithstanding which the said Richard Chilman in his life tyme nor the said Gerard since his death to whom Adm^{cō}n of all & singuler the goods Chattles rights & creditts which were of the said Richard in his life tyme since his death hath bin comitted, the said two thousand seven hundred pounds of tobacco to him the said Miles according to the tenour of the said bill Obligatory although often thereunto required have not paid, but the same to pay hath denyed & gainsayed, & to pay the same as yet doth deny & gainsay whereupon the said Miles saith he is damni-
 fied & hath cost to the Value of foure thousand pounds of tobacco And thereupon he bringeth his suite

And the said Gerard Slye by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and saith nothing in barr or avoidance of the action of him the said Miles Grey, whereby the said Miles remains against the said Gerard thereof wholly undefended Therefore itt is considered by the Court here this day to witt the thirteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq^{ue} Doni 1679. that the said Miles Grey recover against the said Gerard Slye Adm^r as aforesaid as well the summe of two thousand seven hundred pounds of tobacco debt As also five hundred forty foure pounds of tobacco costs of suite So that Execution thereof cease untill Assetts shall come to the hands of the said Adm^r And the Defend^t in mercy &c

Edward Mollins	} Gerard Slye Adm ^r of all & singuler the Goods Chattles & creditts which were of Richard Chillman deceasd was Attached to Answer unto Edward Mollins Chirurgeon of a plea of trespas upon the case.
ag ^t	
Gerard Slye Adm ^r	
Richard Chillman	

And whereupon the said Edward Mollins by Robert Ridgely his Attorney complaineth, that whereas the said Richard Chillman in his

life tyme to witt the twenty third day of Octob^r One thousand six hundred Seventy Eight, att the City of S^t Maryes, being then very sick and labouring under a certaine distemper called a feavour, in considera^cō that the said Edward (being a Chirurgion & used to Administer Phisick to his patients) would apply unto him such means & medicam^{ts} as he the said Edward should thinke necessary in his said distemper And also would as often as he should thinke itt necessary visitt him the said Richard, & attend & Administer to him such portions of phisicall remedies as the said Edward in his judgement should imagine the said Richards distemper Might require, he the said Richard upon himselfe did assume & to the said Edward did faithfully promise that he the said Richard him the said Edward for his meanes medicaments potions & phisicall remedies that he should apply unto him & Administer to him, & also for his paines labour & tyme in comeing to staying with & attending the said Richard in his said distemper, would (what for the same the said Edward should reasonably deserve) pay content & satisfie And the said Edward in fact saith, that trusting to the faithfull promise & assumpcō of the said Richard to him the said Edward in that behalfe made as aforesaid he the said Edward from the said twenty third day of Octob^r in the yeare aforesaid untill the fourth day of Novemb^r then next following did attend & visitt as much & as often as occasion did require And during the tyme aforesaid did Administer to the said Richard divers potions Electuaries & other physicall meanes, & did apply to him severall plaisters, a particuler of which by the said Edward is here in Court produced, for which he doth reasonably deserve Seventeen hundred ninety & foure pounds of tobacco Yet the aforesaid Richard Chillman in his life tyme nor the said Gerard Slye since his death to whom the Administracō of all & singuler the Goods Chattles rights & creditts which were of the said Richard att the tyme of his death since his death hath bin comitted, the said Seventeen hundred ninety foure pounds of tobacco to the said Edward although often thereunto required according to the promise of the said Richard to him the said Edward in his life tyme so as aforesaid made, hath not paid, but the same to pay hath denyed & as yet doth deny, to the damage of the said Edward six thousand pounds of tobacco, & thereupon he bringeth his suite

And the said Gerard Slye by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and putteth himselfe upon the judgm^t of the Court of & upon the p^rmisses And the plaintiffe also whereupon the p^rmisses being seen & by the justices here fully understood Itt is considered by the Court here this day to witt the ffifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Anno^q Doni 1679 the said Edward Mollins recover against the said Gerard Slye Adm^r as aforesaid as well the sume One thousand three hundred ninety foure

Liber W. C.

p. 28

Liber W. C. pounds of tobacco damages occasioned by the p^rmisses As also five hundred thirty six pound of tobacco costs of suite And the Defend^t in mercy &c

John Edmondson & francis Whitweth	}	The Defend ^s by John Rousby their Attorney appeare & imparle untill next Court
ag ^t		
Richard Baily		
John Davis		
ag ^t W ^m Boyden		

p. 29 Thomas Jones } John Penroy late of S^t Maryes County was Attached
ag^t } to Answer unto Thomas Jones of a plea of trespas
John Penroy } of the case

And whereupon the said Thomas Jones by Robert Carville his Attorney saith, that the said John Penroy upon the thirtieth day of April in the yeare of our Lord One thousand six hundred Seventy nine being justly indebted to the said Thomas Jones for storage & for necessary accomodacōns of himselfe & his Servants And for severall Summes of tobacco paid for him & by his order to severall persons & for severall Goods & Comdities sold him the said John by the said Thomas And for horse hire & worke done for him att severall dayes & tymes from the thirtieth day of August One thousand six hundred Seventy Eight till the thirtieth day of April One thousand six hundred Seventy nine aforesaid amounting in the whole to the Summe of ffourteen thousand foure hundred thirty five pounds of tobacco, towards paym^t & satisfaction whereof the said John Penroy did pay & satisfie, & the said Thomas did receive in goods & other payments the summe of twelve thousand two hundred fifty seven pounds of tobacco So that there rested due to bal-lance to the said Thomas the Summe of two thousand one hundred Seventy Eight pounds of tobacco, as by a particuler accompt thereof hereunto annexed may appeare In consideracōn whereof the said John did assume upon himselfe & to the said Thomas did faithfully promise, that he the said John the said Summe of two thousand one hundred Seventy Eight pounds of tobacco to him the said Thomas when he should be thereunto lawfully required would well & truely satisfie & pay Yet notwithstanding the said John his promise & assumpcōn aforesaid little regarding, but deviseing & fraudulently intending him the said Thomas in this behalfe craftily and subtilly to defraud & deceive, the said Summe of two thousand one hundred Seventy eight pounds of tobacco to him the said Thomas though often thereunto requested hath not paid or satisfied, but the same to pay hath hitherto denyed & still doth deny & refuse to the damage

of the said Thomas foure thousand pounds of tobacco, & thereupon Liber W. C.
he bringeth his suit

And the said John Penroy by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to im-
parle hereunto untill next Provincial Court & itt is granted unto him,
the same day is given to the plaintiffe likewise

Now here att this day to witt the fifteenth day of Octob^r in the
fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Bal-
temore &c Annoq³ Doni 1679 came the said parties by their Attor-
neys aforesaid And the said John Penroy by his said Attorney saith,
that he did not assume & promise in manner & forme as the said
Thomas Jones above against him hath complained And of this he
putts himselfe upon the Countrey And the plaintiffe also Therefore
itt is Comanded the Sheriffe of S^t Maryes County that he cause to
come here twelve &c by whom &c and who neither & to recognize &c
because as well &c On which said fifteenth Day of Octob^r in the p. 30
yeare aforesaid came the said parties by their Attorneys aforesaid
And the jurors impannelled being called likewise came, to witt
Edward Inglish, W^m Collins, John Haslewood, Jacob Loton, Corne-
lius Comegijs, Richard Baily, W^m Cole, John Askin, Edward Dor-
sey, John Staynes, William Layton & Symon Spracklin, who being
elected tryed & sworne to say the truth in the p^rmisses upon their
Oaths doe say, that the said John Penroy did assume & promise in
manner & forme as the said Thomas Jones above against him hath
declared And they assesse the damage of the said Thomas Jones to
One thousand two hundred Seventy Eight pounds of tobacco There-
fore itt is considered that the said Thomas Jones recover against
the said John Penroy as well the aforesaid Summe of One thousand
two hundred Seventy Eight pounds of tobacco damages by the
jurors aforesaid in forme aforesaid assessed As also One thousand
foure hundred fifty three pounds of tobacco costs of suite And the
Defend^t in mercy &c

John Penroy	}	Thomas Jones late of S ^t Innagoes Hudred in
ag ^t		S ^t Maryes County Sloopman was Sumoned to an-
Thomas Jones	}	swer unto John Penroy of a plea of trespassed upon
		the case

And whereupon the said John Penroy by Robert Ridgely his
Attorney complaineth, that whereas the said Thomas Jones the
Nineteenth day of Septemb^r in the yeare of our Lord One thousand
six hundred Seventy eight, bought had & received of the said John
divers Goods & M^rchandizes att divers dayes & tymes from the said
Nineteenth day of Septemb^r in the yeare aforesaid untill the first
day of May then next following, a particular whereof is herein
Court produced amounting to the Summe of thirteen thousand five
hundred & fifty pounds of tobacco, in consideracōn whereof the said

Liber W. C. Thomas upon himselfe did assume & to the said John did faithfully promise, that he the said Thomas him the said John when thereunto required the said Summe of thirteen thousand five hundred & fifty pounds of tobacco would well & truly content & pay In pursuance whereof the said Thomas him the said John Eleven thousand one hundred sixty nine pounds of tobacco part of the said thirteen thousand five hundred & fifty pounds of tobacco paid, but as to two thousand three hundred Eighty one pounds of tobacco residue of the said Summe of thirteene thousand five hundred & fifty pounds of tobacco to him the said John due as aforesaid, the said Thomas Jones contriving & designing him the said John Penroy of the same two thousand three hundred Eighty one pounds of tobacco to deceive & defraud, his promise & assumption so as aforesaid made not regarding, the said Thomas him the said John the said two thousand three hundred Eighty one pounds of tobacco according to his promise although often thereunto required hath not paid & satisfied, but the same to pay and satisfie hath denyed & as yet doth deny to the damage of the said John Penroy foure thousand pounds of tobacco & thereupon he bringeth his suite

p. 31 And the said Thomas Jones by Robert Carville his Attorney Cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto him, the same day is given to the pth also

Now here att this day to witt the ffifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltimore &c Annoq^{ue} Doni 1679 came the said parties by their Attorneys aforesaid And the said Tho: Jones by his said Attorney saith, that he did not assume and promise in manner & forme as the said John Penroy above against him hath complained And of this he putts himselfe upon the Countrey And the plaintiffe likewise Therefore itt is Comanded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c on which said ffifteenth day of Octob^r in the yeare aforesaid came the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Edward English, W^m Collins, John Haslwood Jacob Loton, Cornelius Comegijs, Richard Baily, W^m Cole, John Askin, Edward Dorsey, John Staynes, W^m Layton & Symon Spracklin, who being elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say, that the said Thomas Jones did assume & promise in manner & forme as the said John Penroy hath above complained And they asseesse the damage of the said John Penroy to two thousand & six pounds of tobacco Therefore itt is considered that the said John Penroy recover against the said Thomas Jones as well the summe of two thousand & six pounds of tobacco damages by the juro^{rs} aforesaid in forme aforesaid assessed As also One thousand One hundred & foure pounds of tobacco costs of suite And the Defend^t in mercy &c

Benj ^a Rozer Esq ^r	}	John Quigley late of St Maryes County M ^r chant	Liber W. C.
ag ^t		was Attached to Answer unto the Hon ^{ble} Benja-	
John Quigley		min Rozer Esq ^r in a plea of trespas upon the case	

And whereupon the said Benjamin by Christopher Rousby his Attorney complaineth, that whereas he the said Benjamin the Eighteenth day of Decemb^r One thousand six hundred seventy Eight stood indebted unto one Joseph Eaton Marrin^r Master of the Shipp M^rchants delight of London in the quantity of Thirty thousand pounds of tobacco And whereas he the said John Quigley afterwards to witt the Eighteenth day of Decemb^r One thousand six hundred Seventy Eight, in consideracōn that he the said Benjamin att the special instance & request of him the said John would well & truly pay or cause to be paid unto one Arthur Taylor late of Charles County M^rchant the quantity of thirty thousand pounds of tobacco in cask for the accompt of him the said John Quigley And would take the said Arthur Taylors receipt for the same as paid for the Accompt of him the said John, he the said John did assume upon himselfe & to the said Benjamin did faithfully promise that he the said John would forthith when thereunto required pay & satisfie unto the aforesaid Joseph Eaton the like quantity of thirty thousand pounds of tobacco in Discharge of the aforesaid debt of thirty thousand pounds of tobacco due to the said Joseph from the said Benjamin as aforesaid And would procure a sufficient receipt and discharge against the said debt of thirty thousand pounds of tobacco under the hand of the said Joseph Eaton for him the said Benjamin And would bring & deliver the same receipt unto him the said Benjamin Rozer And the said Benjamin in fact saith, that he the said Benjamin trusting to the promise & assumpcōn aforesaid of him the said John Quigley, afterwards to witt the twentieth day of January One thousand six hundred Seventy eight did pay & satisfie unto the said Arthur Taylor the Sum^e or quantity of Thirty thousand pounds of tobacco for the Accompt of the said John Quigley, & did take a receipt for the same under the hand of the said Arthur as paid to him the said Arthur by him the said Benjamin by the order & for the accompt of his the said John Quigley. Yet the said John Quigley his promise and assumpcōn aforesaid little regarding, but plotting & contriveing him the said Benjamin not only of the said Thirty thousand pounds of tobacco wholly to defraud & deceive but also to bring the said Benjamin unto discreditt in his reputacōn with M^rchants & dealers in this Province, the said Sum^e or quantity of thirty thousand pounds of tobacco in discharge of the said debt of Thirty thousand pounds of tobacco due to the said Joseph from the said Benjamin as aforesaid hath not paid nor any part thereof, nor a receipt & discharge under the hand of the said Joseph against the said debt of thirty thousand pounds of tobacco unto the said Benjamin hath not brought & delivered though often thereunto required,

p. 32

Liber W. C. but the same thirty thousand pounds of tobacco to pay to the said Joseph in discharge of the said debt of him the said Benjamin, & a receipt & discharge for the same under the hand of the said Joseph unto the said Benjamin to bring & deliver altogether refuseth whereupon the said Benjamin saith he is the worse & hath losse to the Value of Fifty thousand pounds of tobacco & thereupon he brings his suite

And the said John Quigley by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto him, the same day is given to the plaintiffe also

Att which said next Provinciaall Court to witt the ffifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq^{ue} Doni 1679 came the said parties by their Attorneys aforesaid And the said John Quigley by his said Attorney saith, that he did not assume & promise in manner & forme as the said Benjamin Rozer above against him hath complained And of this he putts himselfe upon the Court And the plaintiffe likewise which being read & heard & by the Justices here fully understood Itt seemeth to the same Justices that the said John Quigley did assume & promise in manner & forme as the plaintiffe above against him hath complained Therefore itt is considered that the said Benjamin Rozer recover against the said John Quigley his damages sustained by occasion of the p^rmisses but because itt is not known what damages the aforesaid Benjamin hath sustained by occasion thereof Itt is ordered that a writt of Enquiry of damages issue returnable att the next Provinciaall Court

Benj^a Rozer Esq^r } John Quigley late of S^t Maryes County M^rchant
ag^t } was Sumoned to Answer unto Benjamin Rozer
John Quigley } M^rchant of a plea that he render unto him the
said Benjamin his reasonable accompt of the
tyme in which he was the Receiver of the Goods of him the said Benjamin to M^rchandize & render an Accompt thereof

And whereupon the said Benjamin by Christopher Rousby his Attorney saith, that whereas the aforesaid John Quigley from the twentieth day of Novemb^r one thousand six hundred Seventy eight untill the first day of May One thousand six hundred Seventy nine was the Receiver of the Goods of him the said Benjamin And by the same tyme received of the Goods of him the said Benj^a that is to say in Charles County in the Province aforesaid by the hands of him the said Benjamin one Negro of the Value of Eight thousand pounds of tobacco to dispose of in the way of M^rchandize for the profit of him the said Benjamin And to render a reasonable accompt thereof when thereunto required Neverthelesse the said John though often thereunto required his reasonable accompt aforesaid unto the

said Benjamin hath not rendred, but hitherto hath denyed & still doth deny to render the same, whereupon the said Benjamin saith he is the worse & hath losse to the Value of twelve thousand pounds of tobacco & thereupon he brings his suite

And the said John Quigley by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto him, the same day is given to the plaintiffe also

Att which said next Provinciaall Court to witt the fifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq̄ Doni 1679 came the said parties by their Attorneys aforesaid And the said John Quigley by his said Attorney saith that he cannot deny the aforesaid action of the aforesaid plaintiffe neither but that he was Receiver of a Negro of the proper Goods of the said Benjamin, to M^rchandize & render an Accompt thereof, & further saith that he is ready to accompt thereof And prayeth Auditors to Audite the said Accompt And the plaintiffe likewise Therefore itt is considered that the aforesaid Defend^t accompt with the said plaintiffe of the Negro aforesaid by the tyme aforesaid received in the forme in w^{ch} the plaintiffe hath above declared against him And hereupon Gerard Slye & John ILewellin gentl in the presence of the same Defend^{ts} Attorney aforesaid are appointed Auditors by the Court here to heare the said Accompt so that they make report thereof to the Justices of the said Court att the City of S^t Maryes on the tenth day of ffeb^{ry} next

Benj ^a Rozer Esq ^r	}	Thomas Allanson of Charles County in the
ag ^t		Province of Maryland was Sumoned to Answer
Tho: Allanson	}	unto Benjamin Rozer M ^r chant in a plea that he
		render unto him tenn Thousand nine hundred

thirty foure pounds of tobacco & caske which to him he oweth & unjustly detaineth

And whereupon the said Benjamin Rozer by Christopher Rousby his Attorney saith, that whereas the said Thomas Allanson the first day of June Anno Doni 1678 by his certaine writeing obligatory Sealed with the Seale of him the said Thomas here in Court produced whose date is the same day & yeare above mencōned, did acknowledge himselfe to be holden & firmly bound unto M^r Benj^a Rozer of Charles County M^rchant his heyres Ex^{rs} & Adm^{rs} and assigns in the just & intire quantity of tenn thousand nine hundred thirty foure pounds of good sound M^rchantable leafe tobacco in Cask, to the which payment well & truely to be made he the said Thomas Allanson did binde himselfe his heyres Ex^{rs} & Adm^{rs} firmly by those p^rsents Neverthelesse the said Thomas Allanson the said Sumē of tenn thousand nine hundred thirty foure pounds of tobacco unto him the said Benjamin Rozer though often thereunto required

Liber W. C.

p. 34

Liber W. C. hath not paid, but the same to pay hath denyed & still doth deny to the damage of the said Benjamin twenty thousand pounds of tobacco & thereupon he bringeth his suite

And the said Thomas Allanson by Henry Bonner his Attorney cometh & defendeth the force & injury when &c and prayeth hearing of the said writeing Obligatory & itt is read unto him, he also prayeth hearing of the Condiçõ of the said writeing obligatory & itt is read unto him in these words. Viz^t The Condiçõ of this Obligacõ is such That if the above bounden Thomas Allanson his heyres Ex^{rs} or Ad^{rs} shall & doe well & truely pay or cause to be paid unto the above named Benjamin Rozer his heyres Ex^{rs} Adm^{rs} or assignes the just & intire quantity of five thousand foure hundred sixty seven pounds of good sound & M^rchantable leafe tobacco in cask convenient in Charles County upon or before the tenth day of Octob^r next ensuing the date of these p^rsents Then this obligacõ to be void & of none effect, Or else to be & remaine in full force & Vertue which being read & heard the said Tho: Allanson by his Attorney aforesaid saith nothing in barr or avoidance of the action aforesaid of him the said Benjamin whereby the said Benjamin remaineth against the said Thomas thereof wholly undefended Therefore itt is considered that the said Benjamin Rozer recover against the said Tho: Allanson as well the aforesaid Summe of tenn thousand nine hundred thirty foure pounds of tobacco debt As also five hundred fifty two pounds of tobacco costs of suite And the Defend^t in mercy &c

John Barnes	} Marke Cordea late of S ^t Maryes County
ag ^t	
Marke Cordea Adm ^r	
Sam ^l Brocutt	} Brocutt deceased was Sumoned, to Answer unto John Barnes in a plea that he render unto him the Summe of Eighteen hundred & forty pounds of tobacco which from him he unjustly detaineth

And whereupon the said John by Kenelm Chesldyn his Attorney cometh & saith that whereas the said Samuel Brocutt in his life tyme to witt the two & twentieth day of April in the yeare of our Lord One thousand six hundred Seventy six, did by his certaine writeing Obligatory sealed with the seale of the said Samuel here in Court produced whose date is the same day & yeare above written, did acknowledge himselfe to be justly indebted unto the said

p. 35 John Barnes of the County & Province aforesaid planter in The full Summe of Eighteen hundred & forty pounds of tobacco good sound & M^rchantable in cask for a valuable consideraçõ allready received, to be paid unto the said John or to his certaine Attorney his heyres Ex^{ex}^{rs} Adm^{rs} or assignes att or before the tenth day of Octob^r on his then dwelling plantacoñ To the which paym^t well & truely to be made he did binde himselfe his heys Exec^{rs} Adm^{rs} firmly by those p^rsents Notwithstanding which the said Samuel in his life tyme the

said Summe of Eighteen hundred & forty pounds of tobacco to him the said John hath not paid according to the tenour of his said bill, nor the said Marke Cordea since his death Adm^r of all & singuler the Goods Chattles & debts which were the said Samuels att the tyme of his death since his death to him comitted hath not paid though often thereunto required but the same to him to pay hitherto hath & still denies to pay to the damage of him the said John the Summe of foure thousand pounds of tobacco, & thereupon he bringeth his suite

Liber W. C.

And the said Marke Cordea by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto him, the same day is given to the plaintiffe also

Att which said next Provinciaall Court came the said parties by their Attorneys aforesaid And the said Marke Cordea by his said Attorney saith, that as to nine hundred pounds of tobacco part of the said Eighteen hundred forty pounds of tobacco, the said Marke saith that the said John his Action aforesaid against him for the same ought not to haue, because the said Samuel Brocutt in his life tyme him the said John Barnes the said nine hundred pounds of tobacco in part of the said Eighteen hundred & forty pounds of tobacco according to the tenour of the said bill well & faithfully paid, & this he is ready to averr, & therefore demands judgem^t if the aforesaid John Barnes his action aforesaid against him for the said Nine hundred pounds of tobacco ought to have And as to Nine hundred & forty pounds of tobacco residue of the said Eightene hundred & forty pounds of tobacco the said Marke saith, that the said John his action aforesaid against him for the same ought not to have, because he saith that he hath fully Administred all & singuler the Goods & Chattles which were of the said Samuell att the tyme of his death in his hands remaining to be Administred, nor had he any Goods & Chattels of the said Samuell in his hands to be Administred att the sueing out the original writt of the said John Barnes in the action aforesaid, nor att any tyme since And this he is ready to averr, & thereupon demands judgem^t of the aforesaid plaintiffe his action aforesaid for the same against him ought to have

And the said John saith, that he the said John ought not to be debarred from haveing his action aforesaid, for that he saith, that the said Samuell in the life tyme of him the said Samuell, did not pay unto him the said John the Summe of Nine hundred pounds of tobacco in part of satisfacōn of the said debt of Eighteen hundred & forty pounds of tobacco And of this he putts himself upon the Countrey And as for the residue of the said debt of Nine hundred & forty pounds of tobacco the said John saith that the said Mark Cordea had not Att the tyme of the issuing forth of the Originall writt of him the said John fully Administred the Goods & Chattles

Liber W. C. of the said Samuell att the tyme of his death to him comitted, nor yet hath fully Administred the same And of this he putts himselfe upon the Countrey, whereupon day is given to both parties untill next Provinciaall Court

Now here att this day to witt the fifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq Doni 1679 came the said John Barnes by his Attorney and offered himselfe against the said Mark Cordea in the plea aforesaid, but the said Mark Cordea came not but made default Therefore itt is considered that the said John Barnes recover against the said Marke Cordea Adm^r as aforesaid as well the sume of Eighteen hundred & forty pounds of tobacco debt As also seven hundred thirty Eight pounds of tobacco costs of suite And the Defend^t in mercy

Cuthbert Scott	} John Barnes late of S ^t Maryes County otherwise
ag ^t	
John Barnes	

called John Barnes of S^t Maryes City Innholder
 was Sumoned to Answer unto Cuthbert Scott of a
 plea that he render unto him two thousand six hundred pounds of tobacco which to him he oweth & unjustly detaineth.

And whereupon the said Cuthbert by Robert Carville his Attorney saith, that whereas the said John upon the Seventeenth day of June Anno Doni One thousand Six hundred Seventy Eight, by his certaine bill or writeing obligatory sealed with the Seale of him the said John & here in Court produced whose date is the day & yeare abovesaid did binde himselfe to pay or cause to be paid to the said Cuthbert Scott his heyres or assignes the just & full sume or quantity of two thousand Six hundred pounds of good sound M^rchantable tobacco in cask to be paid convenient in Calvert County upon all demands. Yet notwithstanding the said John the said Sume of two thousand six hundred pounds of tobacco to him the said Cuthbert though thereunto often requested hath not paid or satisfied, but the same to pay & satisfie hath denyed & refused & still doth deny to pay the same to the damage of the said Cuthbert foure thousand pounds of tobacco & thereupon he bringeth his suite

And the said John Barnes by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provincial Court & itt is granted unto him, the same day is given to the plaintiffe likewise

Att which the said next Provinciaall Court to witt the the Thirteenth day of Octob^r in the foure yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq Doni 1679 came the said parties by their Attorneys aforesaid And the said John Barnes by his said Attorney saith that he is not informed by the said John of any Answer by him to the action of the said Cuthbert to be given And nothing else saith thereupon by which the said Cuthbert

remaineth against the said John thereof wholly undefended There- Liber W. C.
fore itt is considered that the said Cuthbert Scott recover against
the said John Barnes as well the Summe of two thousand six hun-
dred pounds Of tobacco debt As also five hundred fifty two pounds p. 37
of tobacco costs of suite And the Defend^t in mercy &c

W ^m Calvert Esq ^r	}	John Rawlings late of Dorchester County was
ag ^t		Sumoned to Answer unto W ^m Calvert Esq ^r in a
John Rawlings		plea that he render unto him the Summe of twelve hundred pounds of tobacco which to him he oweth & unjustly detaineth

And whereupon the said W^m Calvert Esq^r by Kenelm Cheseldyn
his Attorney saith that whereas the said John Rawlings the twenty
first day of May One thousand six hundred Seventy seven did by
his certaine writing Obligatory Sealed with the Seale of the said
John here in Court produced whose date is the same day & yeare
above written, acknowledge himselfe to owe & be indebted unto the
said W^m Calvert Esq^r the full & just quantity of twelve hundred
pounds of tobacco in cask to be paid unto the said W^m att or upon
the tenth day of Octob^r next ensuing the date thereof To the which
payment well & well truely to be made & done he did binde himself his
heyres Exec^{ts} firmly by those p^rsents Notwithstanding which the
said John the said Summe of twelve hundred pounds of tobacco hath
not paid according to the tenour of his said bill though often there-
unto required, but the same to pay hitherto hath & still denies to
the damage of the said W^m the Summe of two thousand pounds of
tobacco, & thereupon he brings his suite

And the said John Rawlings by Robert Ridgely his Attorney
cometh & defendeth the force & injury when &c and prayeth liberty
to imparle hereunto untill next Provinciaall Court & itt is granted
unto him, the same day is given to the plaintiffe also.

Now here att this day to witt the Eleventh day of Octob^r in the
fourth yeare of the Dominion of the right Hon^{ble} Charles Lord
Baltimore &c Annoq^{ue} Doni 1679 came the said W^m Calvert by his
Attorney aforesaid, & offered himselfe against the said John Raw-
lings in the plea aforesaid, but the said John came not but made
default, Therefore itt is considered that the said William Calvert
recover against the said John Rawlings as well the summe of twelve
hundred pounds of tobacco debt As also five hundred fifty two
pounds of tobacco costs of suite And the Def^t in mercy &c

John & Thomas	}	Theophilus Turford late of Calvert County
Dudlestone		M ^r chant was Sumoned to Answer unto John
ag ^t		Dudlestone & Thomas Dudlestone of the Citty
Theoph ^s Turford		of Bristoll in the Kingdom of England M ^r chants of a plea that he render unto them his reasonable

Liber W. C. accompt of the tyme that he was Receiver of the Goods M^rchandizes & tobacco of them the said John & Thomas Dudlestone & which to them to make justly he ought

And whereupon the said John & Thomas Dudlestone by George Parker their Attorney say, that whereas the said Theophilus Turford was Receiver of the Goods M^rchandizes & tobacco of them the said John & Thomas Dudlestone from the day of in the yeare of our Lord One hundred sixty seven untill the day of in the yeare of our Lord One hundred sixty seven, & by the same tyme received of the Goodes & M^rchandizes of the said
 p. 38 John And Thomas One hundred forty nine pounds Seven shillings currant money of England by the hand of William Stevens Comānder of the shipp Comfort of Bristoll at Pertuxon river in this Province And also by the hands of received of the proper tobaccoes of the said plaintiffes one hundred & nineteen thousand & seventy two pounds of tobacco, to render a reasonable accompt as well of the same One hundred forty nine pounds seven shillings As also of the same one hundred & nineteen thousand and Seventy two pounds of tobacco to the said John & Thomas Dudlestone when he should be thereunto required Nevery^eles the same Theophilus Turford although often required hath not yet rendred his reasonable accompt aforesaid to the said John & Thomas Dudlestone, but hitherto hath denyed & yet doth deny to render unto them the same, whereupon they say they are damnied & haue lost of the Value of six hundred pounds sterl & thereupon they bring their suite

And the said Theophilus Turford by Christopher Rousby his Attorney cometh & defendeth the force and injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto him the same day is given to the plaintiffes likewise.

Now here att this day to witt the ffifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq^o Doni 1679 came the said parties by their Attorneys aforesaid And the said Theophilus by his said Attorney saith, that the matter in the said plaintiffes declaracōn alleadged in manner & forme as the same is therein sett forth is insufficient in Lawe to him the said Theophilus to answer because he saith first that the said declaracōn is not sufficiently warranted by the writt or precept whereupon the same is pretended to be grounded, for that the said writt is for the said Theophilus to Answer unto John Dudlestone & Thomas Dudlestone of a plea that he render unto them his reasonable accompt of the tyme he was receiver of the Goods M^rchandize & tobacco of them the said John & Thomas & which to them to make justly he ought And in the Declaracōn the said plaintiffes doe charge the said Theophilus with the receipt of Goods M^rchandize & tobacco

of the said John & Thomas One hundred forty nine pounds seven shillings currant money of England by the hand of W^m Stevens Comānder of the shipp Comfort of Bristoll, to render a reasonable accompt of the same One hundred forty nine pounds & seven shillings And so the effect of the writt is to have an accompt of Goods M^rchandize & tobacco And the Declaracōn is for an accompt of currant money of England & tobacco which is manifest & materiall variance between the said writt & count or declaracōn Also the said Theophilus saith, that in the Declaracōn aforesaid itt is sett forth that whereas the aforesaid Theophilus Turford was receiver of the Goods M^rchandize & tobacco of them the said John & Thomas Dudlestone from the day of in the year of our Lord One hundred & sixty seven untill the day of in the year of Our Lord One hundred sixty seven, whereas he this Defend^t was not borne in many hundred yeares afterward itt being more then ffifteene hundred yeares agoe And by the Lawe of this land this Court cannot hold plea in an action of accompt of so ancient a date & standing Also in the same declaracōn itt is sett forth, that this Defend^t received by the hands of of the proper tobacco of the plaintiffes One hundred & nineteen thousand & Seventy two pounds of tobacco to render a reasonable accompt of the same One hundred & nineteene thousand & Seventy two pounds of tobacco to the said John & Thomas Dudlestone when he should be thereunto required But the said plaintiffes in their said declaracōn doe not positively & plainly expresse nominate & declare the certaine name or names of the person or persons by whose hands the said Theophilus received the said pretended Summe of One hundred & nineteen thousand & Seventy two pounds of tobacco, nor within what tyme the same was so received as by the Law of the land they ought to haue done By reason of which incertainties & insufficiencies the said Theophilus saith that to the said Declaracōn of the said plaintiffes in manner & forme as the same is sett forth he the said Theophilus is not bound to Answer And this he is ready to averr, whereupon he demands judgement & that the said action of the said John & Thomas Dudlestone in manner & forme aforesaid brought against this Defend^t may abate.

And the said plaintiffes say, that by any thing by the same Defend^t to the plaintiffes writt or declaracōn aforesaid in barre pleaded the said plaintiffes by the same ought not to be delayed, nor the writt of the aforesaid plaintiffes upon the plea aforesaid to be abated, but that the same Defend^t the same writt & declaracōn aforesaid is bound to Answer, because they say that the said declaracōn is sufficiently warranted by the writt upon which the same is grounded, which is of a plea that the said Defend^t render unto the said plaintiffes his reasonable accompt of the tyme that he was Receiver of the Goods M^rchandizes & tobacco of them the said plaintiffes, & which to them to make justly he ought And the said plaintiffes in their said Decla-

Liber W. C.

p. 39

Liber W. C. racōn charge the said Defend^t as Receiver of the Goods M^rchandizes & tobacco of the said plaintifffes that is to say with One hundred forty nine pounds & seven shillings currant money of England by the hands of William Stevens Comāder of the Shipp Comfort of Bristol, & one hundred & nineteene thousand & Seventy two pounds of tobacco of the proper tobaccos of the said plaintifffes, to render a reasonable accompt as well of the same one hundred forty nine pounds & seven shillings As also of the same One hundred & nineteene thousand & Seventy two pounds of tobacco to the said p^{ts} when he should be thereunto required That there was blankes left in the declaracōn for the tyme in which he was receiver &c As also for the persons names by whose hands he received the said One hundred
p. 40 & nineteene Thousand & seventy two pounds of tobacco which the said plaintifffes are ready now to fill up, & that filling up such blankes hath bin hitherto permitted & allowed in this Court so that the said plaintifffes say that when the said blankes are filled up the said writ & declaracōn doe agree, & the Def^t to the same ought to Answer And this they are ready to averre And thereupon demands judgm^t of this Court if the said plaintifffes the blankes in their declaracōn aforesaid shall not according to the usuall custome of this Court fill upp, & the Defend^t be compelled to the declaracōn & writt of the said plaintifffes to Answer

And the said Theophilus saith as formerly, that for the causes in the said plea specied, he this Defend^t is not bound to make further Answer to the said declaracōn And further saith, that no declaracōn is perfect wherein spaces & blankes are left for sentences words or names And that a perfect declaracōn ought to haue bin filed by the last day of the first Court after comencement of the action And that for want of such a declaracōn in due tyme & course, he the Defend^t could not make full answer & that the said plaintifffes ought not to haue permission to fill up any blank or blankes in the aforesaid declaracōn And therefore prayes judgm^t of the p^rmisses &c And the said plaintifffes likewise. which being read & heard itt is considered by the Court that the said plaintifffes take nothing by their writt for want of a perfect declaracōn & be in mercy for their false claime thereupon And that the said Defend^t may goe thereof without day And alsoe that the said Theophilus Turford recover against the said John Dudlestone & Thomas Dudlestone the sūme of One thousand foure hundred thirty two pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said Theophilus may haue thereof Execution &c

Theophilus Turford	} Christopher Hassell late of Calvert County
ag ^t	
Christopher Hassell	

M^rchant was Attached to Answer unto Theophilus Turford in a plea of trespas upon the case.

And whereupon the said Theophilus Turford by Christopher Rousby his Attorney complaineth, that whereas by an Act of Assembly made att a Gen^l Assembly begun & held att the City of S^t Maryes the day of & there continued by severall Adjournm^{ts} & Prorogacōns till the day of And there continued till the day of one thousand Six hundred Seventy eight Itt was amongst other things Enacted by the right Hon^{ble} the Lord Prop^{ty} by & with the consent of the upper & lower houses of that p^rsent Gen^l Assembly that what person soever shall dispose of any tobacco or other Goods seized on or received by Sheriffes for fines Leavyes or his Lordships rent or other publick Officers fees Or that shall alter or scratch out the marke of any tobacco so received, Or that shall alter or change the quality of tobacco so received or by any M^rchant or other received either by uncaseing or otherwise without Lawfull order or warrant in writeing under hand of such sheriffe who received the same, or of such M^rchant or other person who received & marked the same or for whose use the same was received & marked shall be lyable being convicted by confession or sufficient witnes in some Court of this Province to restore foure fold to the party grieved And to stand in the pillory two full houres dureing the Court tyme with his offence fairly written in a peice of paper & placed upon his back The said Theophilus in fact saith, that the said Christoph^r Hassell not ignorant of the p^rmisses, but the said Act contemning, & the said Theophilus Turford in this behalfe craftily & subtilly to defraud & deceive, did upon the Eighth day of ffebruary One thousand six hundred Seventy eight & att sundry other tymes untill the tenth day of April then next following receive dispose of take & carry away from severall houses in Petuxent river within the County aforesaid twenty foure severall hogsheds of tobacco of the proper Goods & Chattles of the said Theophilus Turford & by him & his receivers for his use formerly received & marked containing the neat quantity of tenn thousand foure hundred forty & one pounds of tobacco contrary to the said Act of Assembly, whereby action is accrued to the said Theophilus to have & demand of the said Christop^r Hassel foure fold according to the said Act amounting to the Sum^e of forty one thousand seven hundred & sixty foure pounds of tobacco & thereupon he brings his suite &c

Liber W. C.

p. 41

And the said Christopher Hassell by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the ffifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Doni 1679 came the said parties by their Attorneys aforesaid And the said Christopher by his said Attorney saith that he is in no wise guilty of the p^rmisses above imposed upon

Liber W. C. him against the forme of the Act of Assembly aforesaid in manner and forme as the plaintiffe above against him hath complaind And of this he putts himselfe upon the Countrey. Whereupon the said Theophilus refuseth to make any further prosecution against the said Christopher in the plea aforesaid Therefore itt is considered that the said Theophilus take nothing by his writt, but be in mercy for his false claime thereupon & that the said Christopher may goe thereof without day. And also that the said Christopher Hassell recover against the said Theophilus Turford the Summe of One thousand three hundred & Eighty pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said Christopher may haue thereof Execution &c

Gerard Slye	{	This action is agreed
ag ^t		
Kenelm Mackloughlin		

p. 42	John & Thomas	{	Thomas Tasker late of Calvert County & Rebecca his wife Adm ^x of the Goods & Chattles of John Brooke deceased were Attached to Answer unto John Dudlestone & Thomas Ad ^x Jn ^o Brooke
	Dudlestone		
	ag ^t		
	Tho: Tasker & ux:		

Dudlestone of a plea of trespas on the Case

And whereupon the said John & Thomas by Robert Carville their Attorney say, that whereas the said John Brooke in his life tyme that is to say upon the thirteenth day of octob^r in the yeare of our Lord one thousand six hundred seventy foure att Bristoll in the Kingdome of England receivd of the said John & Thomas Dudlestone a Cargoe of Goods on the proper accompt & risque of the said John & Thomas Dudlestone amounting in the whole to the Summe of five hundred thirty & eight pounds three shillings & ten pence sterling as p Invoyce thereof may appeare, he the said John Brooke in considercōn thereof did assume upon himselfe & to the said John & Thomas Dudlestone faithfully promise that he the said John Brooke would well and truely pay unto the said John & Thomas Dudlestone the said Summe of five hundred thirty Eight pounds three shillings & tenn pence sterl when he should be thereunto requested, yet neverthesse the said John Brooke in his life tyme or the said Rebecca since his death while she was sole, or the said Thomas & Rebecca since their intermarriage the said Summe of five hundred thirty eight pounds three shillings & tenn pence sterl to them the said John & Thomas Dudlestone or either of them have not paid or satisfied, but the same to pay and satisfie haue hitherto denyed & refused & still doe deny & refuse to the damage of the said John & Thomas seven hundred pounds sterl & thereupon they bring their suite.

And the said Thomas & Rebecca by Christopher Rousby their

Attorney come & defend the force & injury when &c And pray liberty to imparle hereunto untill next Provintiall Court & itt is granted unto them, the same day is given to the plaintiffes also Liber W. C.

Now here att this day to witt the fourteenth day of Octob^r in the fourth year of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq Dni 1679 came the said parties by their Attorneys aforesaid And John & Thomas Dudlestone by their said Attorney refuse to make any further prosecution against the said Thomas & Rebecca in the plea aforesaid Therefore itt is considered that the said plaintiffes take nothing by their writt but be in mercy for their false claime thereupon And the said Defend^{ts} may goe thereof without day And also that the said Thomas Tasker & Rebecca his wife Adm^x as aforesaid recover against the said John Dudlestone & Thomas Dudlestone the Summe of seven hundred thirty six pounds of tobacco for their costs & charges by them about their defence in this behalfe laid out & expended And the said Thomas and Rebecca may haue thereof Execution &c

Mary Clements Adm ^x	} Mary Clements Adm ^x of the Goods & Chattles of John Clements deceased complaineth against W ^m Crosse gentl one of the Attorneys of this Court here p ^r sent in Court of a plea of trespas of the case	p. 43
John Clements		
ag ^t		
W ^m Crosse		

And whereupon the said Mary by Robert Carville her Attorney saith, that whereas the said W^m Crosse stood justly indebted to the said John Clements in the Summe of foure thousand pounds of tobacco for his the said John Clements necessary accomodateing of him the said William Crosse & Robert Crosse his Cozen with meat drink washing & lodging for one whole year beginning the day of May One thousand six hundred Seventy & foure & ending the said day of May one thousand, six hundred Seventy fve att two thousand pounds of tobacco each p annum in all amounting to foure thousand pounds of tobacco And the said W^m Crosse upon the day of June Anno Dni one thousand six hundred Seventy eight coming to accompt with the said Mary as well for touching & concerning divers reckonings and accompts between him the said William Crosse & John Clements in his life tyme as for the said summe of foure thousand pounds of tobacco for the Accomodacon of the said W^m Crosse & Robert Crosse as aforesaid, he the said W^m Crosse did thereupon assume upon himselfe & to the said Mary did faithfully promise, that he the said W^m the said Summe of foure thousand pounds of tobacco so due to the said John Clements for the Accomodacon aforesaid to her the said Mary would well & truely content & pay when he should be thereunto required if M^r Edward Man did not pay the same Yet notwithstanding the said W^m Crosse nor the said Edward Man for him the said Summe of foure thousand

Liber W. C. pds of tobacco to her the said Mary hath not paid or satisfied though often thereunto requested, but the same to pay hath hitherto denied & refused & still doth deny & refuse to the damage of the said Mary seven thousand pounds of tobacco and thereupon she bringeth her suite

And the said William Crosse by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the fifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltmore &c Annoq³ Doni 1679 came the said partyes by their Attorneys aforesaid And the said W^m by his said Attorney saith that he prayeth judgem^t of the bill aforesaid ag^t him filed by the said Mary Clements, because he saith that the aforesaid Mary the day of the filing the bill aforesaid against the said W^m that is to say the fourth day of March in the yeare of the Dominion of Charles &c and continually afterwards was & still is covert of one James Derumple her husband that is to say in Talbot County in the said Province And this he is ready to averr, wherefore he prayes judgm^t of the same bill by the same Mary by the name of Mary Clements p. 44 widdow as a feme sole filed against him as aforesaid Whereupon the said Mary Clements refuseth to make any further prosecution against the said W^m Crosse in a plea aforesaid Therefore itt is considered that the said Mary take nothing by the bill aforesaid, but be in mercy for her false plaint And the said Defend^t may goe thereof without day

Robert Carvile	}	James Lewis late of St Maryes County otherwise
ag ^t		called James Lewis of st Maryes County planter
James Lewis	}	was Attached to Answer unto Robert Carvile one
		of the Attorneys of this Court according to the

priviledges &c of a plea that he render unto him two thousand pounds of tobacco which to him he oweth & unjustly detaineth

And whereupon the said Robert in his proper person saith that whereas the said James upon the ninth day of ffeb^{ry} by his certaine bill or writing obligatory sealed with the Seale of him the said James & here in Court produced whose date is the day & yeare above-said, did confesse & acknowledge himselfe to owe & stand justly indebted unto the said Robert Carvile in the neate quantity of two hundred pounds of good fatt beefe & two hundred pounds of good fatt porke to be paid to the said Robert his Ex^{rs} Adm^{rs} or assignes att his the said James Lewis's plantacōn in St Michaels hundred att or upon the tenth day of Novemb^r then next, To the which paym^t well & truly to be made he bound himselfe his heyres Exec^{rs} & Adm^{rs} in the penall Sumē of two thousand pounds of tobacco Yet

notwithstanding the said James Lewis the said severall quantities of two hundred pounds of good fatt beefe or two hundred pounds of good fatt porke according to the said writing Obligatory though often thereunto requested to him the said Robert hath not paid or satisfied but the same to pay or satisfie hath hitherto & still doth deny & refuse to the damage of the said Robert three thousand pounds of tobacco & thereupon he brings his suite

And the said James Lewis by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the ffourteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles &c Annog Doni 1679 came the said parties by their Attorneys aforesaid And the said James by his said Attorney saith, that he is not informed by the said James of any Answer by him to the action of the said Robert to be giuen, & nothing else saith thereupon, by which the said Robert remaineth against the said James thereof wholly undefended Therefore itt is considered that the said Robert Carville recover agst the said James Lewis as well the Summe of two thousand pounds of tobacco debt As also five hundred fifty two pounds of tobacco costs of suite And the Defend^t in mercy &c

John Body } John Quigley late of S^t Maryes County M^{ch}ant p. 45
ag^t } otherwise called John Quigley of S^t Maryes Citty
John Quigley } M^{ch}ant was Sum^{oned} to Answer unto John Body
Comand^r of the Shipp Cecilius of London in a plea
that he render unto him One thousand two hundred & forty pounds of tobac[co] in caske And also the Summe of twelve hundred & sixty pounds of tobacco which to him he oweth & unjustly detaineth

And whereupon the said John Body by Christopher Rousby his Attorney saith, that whereas the said John Quigley the fourteenth day of July Anno Doni One thousand six hundred Seventy six by his certaine writeing Obligatory sealed with the Seale of him the said John Quigley here in Court produced whose date is the same day & yeare above mencōned, did acknowledge himselfe to be holden & firmly bound unto John Body Comand^r of the Shipp Cecilius of London in the Summe of One thousand two hundred & forty pounds of tobacco in caske to be paid to the said John Body or to his certaine Attorney his heyres Ex^{rs} Adm^{rs} or assignes att or before the tenth day of Octob^r then next ensuing To which payment well and truly to be made he the said John Quigley did binde himselfe his heyres Ex^{rs} & Adm^{rs} firmly by those p^{rs}ents And also by one other writing under the hand of him the said John Quigley bearing date the first day of Octob^r One thousand six hundred seventy seven, the said John Quigley did acknowledge himselfe to be indebted unto the said

Liber W. C. John Body the Summe of twelve hundred & Sixty pounds of tobacco to be paid to the said John Body his Exec^{rs} Adm^{rs} or assignes To which paym^t he the said John Quigley did binde himselfe his heyres Ex^{rs} & Adm^{rs} Neverthesse the said John Quigley the said summe of twelve hundred & forty pounds of tobacco or the said summe of twelve hundred & Sixty pounds of tobacco unto him the said John Body though often thereunto required hath not paid, but the same to pay hath denyed & still doth deny to the damage of the said John Body three thousand pounds of tobacco & thereupon he brings his suite

And the said John Quigley by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him the same day is given to the plaintiffe likewise

Now here att this day to witt the Fifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltimore &c Annoq^{ue} Doni 1679 came the said parties by their Attorneys aforesaid And the said John Quigley by his said Attorney saith that he is content that judgment passe against him for the Summe of twelve hundred & forty pounds of tobacco Therefore itt is considered that the said John Body recover against the said John Quigley as well the Summe twelve hundred & forty pounds of tobacco debt As also five hundred thirty seven pounds of tobacco cost of suite And the Defend^t in mercy &c

p. 46 Com^{and} was given to the Sheriffe of Charles County that he should take W^m Wells late of Charles County otherwise called W^m Wells of Portobacco Creek in Charles County in the Province of Maryland if he should be found in his bailywick & him safely keep so that he haue his body before the Justices of the Provintiall Court the third day of June last past to Answer unto Abraham Blagg in a plea that he render unto him thirty Eight thousand one hundred & twenty pounds of tobacco which to him he oweth & unjustly detaineth. On which said day came as well the said Abraham Blagg by Kenelm Cheseldyn his Attorney as the said Sheriffe of the County aforesaid who made returne of the writt aforesaid that the body of the said W^m Wells he tooke, & that he now had him ready, whereupon the said Defend^t is ordered by the Court here to remaine in the custody of the same Sheriffe untill he shall put in speciall baile to Answer the said action & pay y^e Codemnacōn of the Court the Court thereupon or render his body to the keeper of the prison of the Lord Prop^{ty} if he should be cast in the said action

Abraham Blagg	}	William Wells late of Charles County otherwise called W ^m Wells of Portobacco Creeke in Charles County in the Province of Maryland was Sum ^{moned} to Answer unto Abraham Blagg in a plea
ag ^t		
W ^m Wells		

that he render unto him the Summe of thirty eight thousand one hundred & twenty pounds of tobacco which to him he oweth & unjustly detaineth Liber W. C.

And whereupon the said Abraham by Kenelm Cheseldyn his Attorney saith, that whereas the said W^m Wells the one & twentieth day of february in the yeare of our Lord One thousand six hundred seventy Seven did by his certaine writeing obligatory Sealed with the Seale of the said W^m here in Court produced whose date is the same day & yeare above written did acknowledge himselfe his heyres Ex^{rs} Adm^{rs} & assignes to stand justly indebted unto the said Abraham Blagg of Plymouth in the just Summe of thirty Eight thousand One hundred & twenty pounds of tobacco & cask every way well condicōned to be paid unto the said Abraham Blagg his heyres Ex^{rs} Adm^{rs} assignes or certaine Attorney att his or their will & pleasure To the which paym^t well & truely to be made & done he did binde himselfe his heyres Ex^{rs} Adm^{rs} & assignes firmly by those p^rsents Notwithstanding which the said W^m Wells the said summe of thirty eight thousand one hundred & twenty pounds of tobacco to him the said Abraham hath not paid according to the tenour of his said writing Obligatory, but the same to pay hitherto hath & still denies to pay to the damage of the said Abraham the summe of forty thousand pounds of tobacco & thereupon he bringeth his suite

P. 47

And the said W^m Wells in his proper person doth come & defend the force & injury when &c and prayeth hearing the writing aforesaid & itt is read unto him, he prayeth also hearing the Condición of the said writing & itt is read unto him in these words The Condición of this aboue Obligacōn is such, that if the above bounden W^m Wells his heyres Ex^{rs} & Adm^{rs} shall well & truely satisfie Content & pay unto the above named, Abraham Blagg his heyres Ex^{rs} Adm^{rs} assignes or certaine Attorney the just & neat quantity of Nineteen thousand & sixty pounds of good sound M^rchantable tobacco in caske convenient in Nanjemy or Portobacco Creeke att or before the tenth day of Ostober next ensuing the above date, that then the above Obligacō to be void & of no Effect, Or else to remaine in full force & vertue, which being read & heard this day to witt the fourteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Batemore &c Annoq³ Doni 1679 the said W^m Wells being att the barr did confesse judgment unto the said Abraham Blagg for the Summe of twenty thousand & sixty pounds of tobacco Therefore itt is considered that the said Abraham Blagg recover against the said W^m Wells as well the Summe of Twenty thousand & Sixty pounds of tobacco debt As also five hundred thirty six pounds of tobacco costs of suite And the Defend^t in mercy &c

Afterwards to witt the fourteenth day of Octob^r in the yeare aforesaid the said W^m Wells att the request of Kenelm Cheseldyne Attorney for the plaintiffe is by the Justices of the Court

Liber W. C. comitted to the custody of W^m Chandler gentl high Sheriffe of Charles County in Execution for the said twenty thousand & sixty pounds of tobacco debt & the said five hundred thirty six pounds of tobacco costs of suite, there to remaine in safe custody untill he shall satisfie the said Abraham Blagg the debt & costs aforesaid

To the Hon^{ble} Philip Calvert Esq^r Chancelour of Maryld
& the rest of the Justices of the Provintiall Court

Att the Solicitacō of M^r W^m Wells who is a Prisoner att the suite of M^r Abraham Blagg for special baile These may signifie to yo^r Hono^{rs} that I will be speciall baile for him. Of if yo^r Hono^{rs} please to ord^r him into the custody of the Sheriffe of Charles County I doe hereby ingage he shall come & deliver himselfe into his hands, otherwise I will pay the debt, this being all at p^rsent from

Octob^r 12th 1679

Yo^r Hono^{rs} humble serv^t

Test Edm^d Dennis

Benja^a Rozer

Jonathan Sibrey	{	W ^m Cole & Margaret his wife Exec ^x of the last
ag ^t		Will & testam ^t of Michael Rochford deceased were
W ^m Cole & ux	{	Attached to Answer unto Jonathan Sibrey of a
Ex ^x Rochford		plea of trespas of the Case

And whereupon the said Jonathan by Henry Bonner his Attorney saith, that whereas the said Michael Rochford upon the thirteenth day of May One thousand six hundred Seventy eight stood justly indebted to the said Jonathan to the ballance of accompt as by the copy of the accompt hereunto annexed may appeare, the sume of three thousand Eight hundred forty eight pounds of tobacco, he the said Michael Rochford in consideracōn thereof did assume upon himselfe & to the said Jonathan did faith-
p. 48 fully Promise, that he the said Michael the said Sume of three thousand Eight hundred forty eight pounds of tobacco to him the said Jonathan when he should be thereunto requested would well & truely content & pay Yet notwithstanding the said Michael in his life tyme or the said Margaret since his death while she was sole, nor the said W^m & Margaret since their intermarriage the said Sume of three thousand eight hundred forty eight pounds of tobacco to him the said Jonathan though often thereunto requested have not paid or satisfied, but the same to pay & satisfie have hitherto denyed & still doe deny & refuse to pay the same to the damage of the said Jonathan five thousand pounds of tobacco & thereupon he brings his suite

And the said W^m & Margaret by Robert Carville their Attorney come & defend the force & injury when &c and say they have nothing to say in barre of the action aforesaid above against them declared, but that the said Jonathan should recover against them the said Sume of three thousand Eight hundred forty eight pounds of tobacco Therefore itt is considered by the Court here this day to witt the

thirteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{bl} Charles Lord Baltemore &c Annoq Doni 1679 that the said Jonathan Sibrey recover Against the Goods & Chattles of the said Michael Rochford in the hands of the said W^m Cole & Margarett his wife the said Sum^e of three thousand eight hundred forty eight pounds of tobacco da^mages occasioned by the p^rmisses As also five hundred sixty eight pounds of tobacco costs of suite And the De^fend^{ts} in mercy &c
M^r Carville

I doe hereby appoint you to be my Attorney to appeare for me & Margaret my wife Ex^x of Michael Rochford deceased & to accept a declaracōn att the suite of Jonathan Sibrey in an action of trespas of the case, to confesse judgment thereupon for the Sum^e of three thousand eight hundred forty & eight pounds of tobacco And for yu^r so doing this shall be yo^r warrant Given under my hand and seale this fourth day of July Anno Doni 1679

To M^r Robert Carville one of the the marke of
Attorneys of the Provintiall Court W^m W Cole (sealed)

Gilbert Turberfield } Memorandum that this Court to witt the Elev-
ag^t } enth day of March in the fourth yeare of the
Robert Carville } Dominion of Charles &c in the yeare of our
 } Lord One thousand six hundred seventy eight
came Gilbert Turberfield by Robert Ridgely his Attorney & exhib-
itteth here into Court his certaine bill against Robert Carville gentl
one of the Attorneys of this Court of a plea that he render unto him
the full & just Sum^e of One thousand seven hundred twenty & nine
pounds of tobacco which to him he oweth & unjustly detaineth

And whereupon the said Gilbert by Robert Ridgely his Attorney
saith, that, whereas the said Robert Carville The third day of July
One thousand six hundred Seventy Eight, by his certaine bill obliga-
tory sealed with the Seale of him the said Robert Carville & here in
Court produc[d] whose date is the day & yeare aforesaid, did binde
himselfe his heyres Ex^{rs} & Adm^{rs} to pay or cause to be paid to the
said Gilbert his heyres Ex^{rs} Adm^{rs} or assignes the full & just Sum^e
of One thousand seven hundred twenty & nine pounds of tobacco
att or upon the tenth day of Octob^r next in some convenient place
in S^t Maryes County, notwithstanding which the said Robert Carville
the said One thousand seven hundred twenty & nine pounds of
tobacco to him the said Gilbert although often thereunto required
according to the tenour of the said bill obligatory hath not paid but
the same to pay hath denyed & as yet doth deny, whereupon the said
Gilbert saith he is damnified & hath losse to the Value of three thou-
sand p^ds of tobacco & thereupon he bringeth his suite.

And the said Robert Carville in his proper person comes & defends
the force & injury when &c and prayeth liberty to imparle hereunto

Liber W. C.

p. 49

Liber W. C. untill next Provintiall Court & itt is granted unto him, the same day is given to the pth likewise

Att which said next Provintiall Court to witt the sixteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq^{ue} Doni 1679 came as well the said plaintiffe by his Attorney aforesaid as the said Defend^t in his proper person here present in Court And the said Defend^t saith that he hath nothing to say in barr of the action aforesaid above against him declared but y^t the said Gilb^{rt} should recover against him the said Robert the aforesaid Sum^e of One thousand seven hundred twenty nine pound[s] of tobacco Therefore itt is considered that the said Gilbert Turberfield recover against the said Robert Carvile as well the Sum^e of One thousand seven hundred twenty nine pounds of tobacco debt As also five hundred & Eight pounds of tobacco costs of suite And the Defend^t in mercy &c

Robert Ridgely	} Richard Speed late of the City of Bristoll Marryner
ag ^t	
Richard Speed	

was Attached by a writt of priviledge issuing forth of this Court to Answer unto Robert Ridgely gentl one of the Attorneys of this Court of a plea of trespass upon the Case

p. 50 And whereupon the said Robert Ridgely in his proper person complaineth, that whereas the said Richard Speed the tenth day of Decemb^r one thousand six hundred seventy foure did retaine the said Robert Ridgely to be his Attorney in the Provintiall Court in foure severall causes, that is to say to appeare for him att the suite of Lydia Solley, to confesse judgem^t for him to the Hon^{ble} Charles Calvert Esq^r now Lord Prop^{ty} & to Comence two severall actions for him agst his Owners W^m Erbury and Comp^a in consideraçon whereof the said Richard did assume upon himselfe & to the said Robert did faithfully promise that he the said Richard him the said Robert for his ffees in the said causes would pay & satisfie unto him the said Robert the sum^e of Sixteene hundred pounds of tobacco And the said Robert in fact saith, that trusting to the promise & assumpcōn of the aforesaid Richard so as aforesaid to him made, he was Attorney for the said Richard in the said foure actions, & for thi^s doth deserve the said Sum^e of sixteen hundred pounds of tobacco. Yet the said Richard his promise & assumpcōn so as aforesaid made not regarding, but deviseing & fraudulently intending him the said Robert of the said sixteen hundred pounds of tobacco to him so due as aforesaid craftily & Subtily to deceive & defraud, the said Sixteen hundred pounds of tobacco to him the said Robert according to his promise hath not paid although often thereunto required, but the same to pay hath denyed & as yet doth deny to the damage of the said Robert two thousand pounds of tobacco and thereupon he bringeth his suite

And the said Richard Speed by Joshua Doyne his Attorney especially admitted by the favour of this Court cometh & defendeth the force & injury when &c and saith that he hath nothing to say in barre of the action aforesaid above against him declared, but that the said Robert should recover against him the said Richard the said sume of Sixteen hundred pounds of tobacco Therefore itt is considered by the Court here this day to witt the Eighth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Doni 1679 that the said Robert Ridgely recover against the said Richard Speed as well the aforesaid Sume of Sixteene hundred pounds of tobacco damāges occasioned by the p^rmisses As also five hundred forty foure pounds of tobacco costs of suite And the Defend^t in mercy &c

Liber W. C.

John England { Nicholas Guither late of s^t Maryes County planter
ag^t { was summoned to Answer unto John England
Nich: Guither { M^rchant of a plea that he render unto him the full
& just Sume of Nineteen hundred fifty & Eight
pounds of good sound M^rchantable tobacco & cask which to him he
oweth & unjustly detaineth

And whereupon the said John by Robert Ridgely his Attorney saith, that whereas the said Nicholas the eleventh day of May one thousand six hundred seventy eight by his certaine bill Obligatory Sealed with the seale of the said Nicholas & here in Court produced whose date is the day & yeare aforesaid did binde himselfe his heyres Ex^{rs} & Adm^{rs} to pay or cause to be paid unto the said John or his assignes or order the full & just sume of Nineteen hundred fifty & eight pounds of good sound M^rchantable tobacco & caske to be paid convenient in the aforesaid County att or before The tenth day of Octob^r next ensuing the date thereof yet the aforesaid Nicholas the said Sume of Nineteene hundred fifty & eight pounds of tobacco to him the said John according to the tenour of the said bill Obligatory hath not paid, but the same to pay hath denyed although often demanded, & to pay the same as yet doth deny, whereupon the said John England saith he is damnified & hath losse to the Value of three thousand pounds of tobacco And thereupon he brings his suite

p. 51

And the said Nicholas Guither by Robert Carvile his Attorney cometh & defendeth the force & injury when &c & prayeth liberty to imparle hereunto untill next Provinc^{ll} Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the sixteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Doni 1679 came the said John England by his Attorney aforesaid, & offered himselfe against the said Nicholas Guither in the plea aforesaid, but the said Nicholas came not but

Liber W. C. made default Therefore itt is considered that the said John England recover against the said Nicholas Guither as well the aforesaid Summe of Nineteen hundred fifty & Eight pounds of tobacco debt As also six hundred & twenty pounds of tobacco costs of suite And the Defend^t in mercy &c

John England } Thomas Wynne late of S^t Maryes County other-
 ag^t } wise called Thomas Wynne of S^t Maryes County
 Thomas Wynne } Gent^l was Sum^ooned to Answer unto John Eng-
 land of the City of Bristoll M^rchant of a plea that
 he render unto him the full & just Summe of two thousand three
 hundred ninety & one pounds of good sound M^rchantable tobacco in
 caske which to him he oweth & unjustly detaineth whereupon came
 the said Thomas by Kenelm Cheseldyn his Attorney & imparles untill
 next Provintiall Court.

p. 52 Philip Siverett }
 ag^t }
 Gerard Slye Ad^r }
 Richard Chilman }
 W^m Cole & ux Ex^x }
 Michael Rochford }
 ag^t }
 the same }
 John Quigley }
 ag^t }
 Jn^o Anderson }
 Jn^o Cockes }
 ag^t }
 Richard Keene }
 }
 The Defend^{ts} by Christopher Rousby their
 Attorney appeare & imparle untill next Court

John Machen }
 ag^t }
 W^m Chandler }
 Benj^a Laurence }
 ag^t }
 W^m Pindar }
 Peter Archer }
 ag^t }
 W^m Dare }
 the same }
 ag^t }
 the same }
 Samuel Allen }
 ag^t }
 Jn^o Rawlings }
 & Mich^l Bassey }

Liber W. C.

Thomas Wynne	}	The Defend ^{ts} by Robert Ridgely their At- torney appeare & imparle untill next Court
ag ^t		
John Anderson		
Richard Marsham		
& Geo : Lingham Ex ^{rs}		
Cha : Gosfright		
ag ^t		
John Atkey		
Richard Bailey		
ag ^t		
the same		
Eliz ^a Green who		
as well &c		
ag ^t		
Tho : Doxey & ux		
Edw ^d Man		
ag ^t		
John Quigley		
Benj ^a Randall		
ag ^t		
W ^m Harris		
Stephen Murty		
ag ^t		
Jn ^o Edmndson		
Richard Marsham		
ag ^t		
W ^m Collins		
Michael Offley		
ag ^t		
John Hyland		
Tho : Jones		
ag ^t		
John England		
John Barnes		
ag ^t		
Marke Cordea		

John Addison & ux : } John Blomfield late of S^t Maryes County gentl p. 53
 ag^t } was Attached to Answer unto Christopher
 Jn^o Blomfield } Aglionby of a plea wherefore by force of
 Armes one Messuage & Tenem^t of one acre
 of land called the Lawyers Lodging in the Citty of S^t Maryes
 & lately in the tenure & occupacōn of Robert Carvile & Kenelm
 Cheseldyn gentl which John Addison & Rebeccah his wife Exec^x of
 the last Will & Testament of Thomas Dent gentl deceased to the said
 Christopher Demised for a terme not yet past, did enter & him from

Liber W. C. his farme aforesaid did Eject & other harme to him did to the great damage of him the said Christopher & contrary to the peace of the Lord Prop^{ty}

And whereupon the said Christopher by Robert Ridgely his Attorney complaineth, that whereas the said John & Rebecca the first day of July in the yeare of our Lord One thousand six hundred seventy eight att S^t Maryes Citty aforesaid had Demised to the said Christopher the said Messuage & tenem^t with the appurtenances scituate in the said Citty of s^t Maryes called the Lawyers Lodging & containing one acre of land & lately in the tenure & occupation of Robert Carvile & Kenelm Cheseldyne gent^l To have & to hold unto the said Christopher and his assignes from the said first day of July in the yeare aforesd to the end & terme of three yeares from thence next ensuing & fully to be compleat & ended By Vertue of which Demise the said Christopher into the tenements aforesaid with the appurtenances entred & was thereof possessed And so thereof being possessed the said John Blomfield afterwards to witt the the first day of Septemb^r in the yeare aforesaid into the tenem^{ts} aforesaid with the appurtenances which the said John and Rebecca to the said Christopher in forme aforesaid did Demise for the terme aforesaid which is not yet past did enter, & him from his farme aforesaid did Eject & other Enormities to him did doe to the great damage of him the said Christopher & against the peace &c Whereupon he saith he is the worse & hath damage to the Value of twenty pounds ster^l And thereupon he bringeth his suite

And the said John Blomfield in his proper person (being one of the Attorneys of this Court) cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the ffifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq Doni 1679 came the said Christoph^r Aglionby by his Attorney aforesaid & offered himselfe against the said John Blomfield in the plea aforesaid, but the said John came not but made default, therefore itt is considered by the Court here that the said Christopher Aglionby recover & have of the said John Blomfield his possession of his terme aforesaid as yet to come of & in the land Messuage & tenem^{ts} aforesaid with the appurtenances And also that the said Christopher recover against the said John Blomfield the Summe of six hundred seventy two pounds of tobacco costs of suite And the Defend^t in mercy &c

p. 54	John Bearcroft	}	}
	ag ^t		
	Margaret Stagg		
	Ad ^x Tho: Stagg		

Tho: Rushmore	}	The Defend ^{ts} by Charles Boteler their Attor- ney appeare & imparle untill next Court	Liber W. C.
ag ^t			
Eliz ^a Wincles Ex ^x			
Edw ^d Wincles			
Timothy Goodridge			
ag ^t	}		
John Pitt			

Samuel Heron	}		
ag ^t			
W ^m Cole & ux Ex ^x	}		
Michael Rochford			
Bern ^d Johnson	}		
ag ^t			
Eliz ^a Letchworth	}		
Tho: Jones			
ag ^t	}		
W ^m Cole & ux: Ex ^x			
Mich ^l Rochford	}		
John England			
ag ^t	}		
Thomas Jones			
Richard Johns	}	The Defend ^{ts} by Robert Carvile their Attor- ney appeare & imparle untill next Court	
ag ^t			
Edw ^d Carter	}		
John Penroy			
ag ^t	}		
Robert Mason			
John Hartwell	}		
ag ^t			
John Butcher	}		
W ^m Dare			
ag ^t	}		
Tho: Shelton			
W ^m Hill	}		
ag ^t			
W ^m Cole & ux: Ex ^x	}		
Mich ^l Rochford			

James Mills Ex ^r	}	This action is agreed
Sam ^l Boston		
ag ^t		
W ^m Osborne Adm ^r		
John Gunn		

Liber W. C.
p. 55

Ken: Cheseldyn
ag^t
Gerard Slye

Gerard Slye of S^t Maryes County was Attached
to Answer unto Kenelm Cheseldyn in a plea
wherefore with force & Armes one acre of land,
one dwelling house with the appurtenāces lying
& being in the City of S^t Maryes which Thomas Lomax to him the
said Kenelm Cheseldyn did demise for a terme of yeares which is
not yet past did Enter and him the said Kenelm did Eject, & other
Enormities to him did, to the great daṁage of him the said Kenelm
contrary to the peace &c

And whereupon the said Kenelm by Nehemiah Blakiston his At-
torny complaineth, that whereas the said Thomas the first day of
May in the yeare of our Lord One thousand six hundred seventy
seven did Demise unto the said Kenelm & his assignes the said acre
of land with the houses thereupon built with their appurtenāces To
have & to hold to him the said Kenelm & to his assignes from the
said first day of May unto the full end and terme of five yeares to
be compleat & ended, By Vertue of which Demise the said Kenelm
did enter into the said acre of land & houses thereupon built with
the appurtenāces aforesaid & was thereof possessed, the said Gerard
Slye the first day of June in the yeare aforesaid into the said land
& houses with the appurtenāces which the said Thomas Lomax to the
said Kenelm in forme aforesaid had Demised for the terme afore-
said which is not yet past with force & armes did enter & him the
said Kenelm did Eject, & other Enormities to him did doe to the
daṁage of the said Kenelm & contrary to the peace &c

And the said Gerard Slye by Christopher Rousby his Attorney
cometh & defendeth the force & injury when &c and prayeth liberty
to imparle hereunto untill next Provinciaall Court & itt is granted
unto him. the same day is given to the plaintiffe also

Now here att this day to witt the thirteenth day of Octob^r in the
fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Bal-
temore &c Anno^q Doni 1679 came the said parties by their Attorneys
aforesaid And the said Gerard by his said Attorney saith, that he the
said Gerard is in no wayes Guilty of the trespas & Ejectm^t above
supposed to be done And of this he putts himselfe upon the Countrey.
Whereupon the aforesaid Kenelm refuseth to make any further
prosecution against the said Gerard in the plea aforesaid Therefore
itt is considered that the said Gerard goe thereof without day And
also that the said Gerard Slye recover against the said Kenelm
Cheseldyn the Sum^e of six hundred & Seventy pounds of tobacco
for his costs & charges by him about his defence in this behalf laid
out & expended And the said Gerard may haue thereof Execution &c

John Rawlings }
ag^t }
John Stone }

} These two actions are agreed

W^m Calvert Esq^r }
 ag^t }
 John Rawlings }

Liber W. C.

W^m Burges }
 ag^t }
 Jn^o Peirce Ex^r }
 Jn^o Peirce }
 Sam^l Hatton }
 ag^t }
 Edw^d Cooke & ux. }
 Ad^x Robert }
 Mountague }
 Robert Ridgely }
 ag^t }
 Geo: Oldfield }
 Gerard Slye Ad^r }
 Richd Chilman }
 ag^t }
 Mich^l Miller }

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The Defend^{ts} by Kenelm Cheseldyn their At-
 torney appeare & imparle untill next Court

Neh^a Blakiston }
 ag^t } The Defend^t by Henry Bonner his Attorney ap-
 Tho: Russell } peares & imparles untill next Court

James Mills }
 ag^t }
 John Larkin Ad^r }
 Enoch Bolton }
 the same } The Defend^{ts} by Charles Parker their Attorney
 ag^t } appeare & imparle untill next Court
 Geo: Wells Ex^r }
 James Ives }

Garret VSweringen }
 ag^t }
 Josias ffendall }
 the same } These two causes being upon writts of Error
 ag^t } from Charles County Court, the Def^{ts} by
 W^m Perfitt } Henry Bonner their Attorney appeare & im-
 } parle untill next Court

Roger Baker }
 ag^t }
 Mich^l Higgins }
 Richard ffenwick }
 ag^t }
 Gerard Slye }

Liber W. C.	Mich ^l Miller	}	The Defend ^{ts} by Christopher Rousby their At- torney appeare & imparle untill next Court
	ag ^t		
	Gerard Slye Ad ^r		
	Richd Chillman		
	Abraham Blagg		
	who as well &c		
	ag ^t		
	Gerard Slye		
	Tho: Wynne		
	ag ^t		
	the same	}	

p. 57 Octob^r 16th 1679

Richard Perry	}	Christopher Rousby the Attorney of Richard Perry did then acknowledge satisfaction of a judgem ^t ob- tained by the said Richard ag ^t Thomas Truman the two & twentieth day of february Anno Doni 1677 pro twelve thousand Eight hundred thirty one pounds of tobacco debt, together with Eight hundred Seventy two pounds of tobacco costs of suite
ag ^t		
Tho: Truman		

Allowed by this Court to the Sheriffe for serving a Ne Exeat Provinciam, One hundred pounds of tobacco, which Sum^e is for the future to be taken & no more And One hundred pounds of tobacco for serving a Replevin

octobe^r 13th 1674

Upon the peticō of W^m Woodgate of Virginia, that being reduced to extream poverty & no wayes capacitated to gett a livelyhood being much afflicted by lamenes, humbly begged the consideracō of this Court (haveing now no habitacō to go to, but only att present lived upon the Charity of well disposed people) to order some way of maintenance for him whereupon itt is ordered that the Sheriffe of this County giue & allow unto the said W^m sufficient dyet & althings necessary untill he shall haue an opportunity to convey him back to Virginia

Octob^r 15th 1679

Then were these following bonds delivered up & Cancelled p ord^r of Court, upon the request of Michael Miller and Gerard Slye Adm^{rs} of the Goods & Chattles of Richard Chilman that is to say, two bonds of twenty foure thousand pounds of tobacco each of them, bearing date the twenty seventh day of february One thousand six hundred Seventy seven with condicōns thereunder written passed by the said Michael Miller to the said Richard Chillman. Also two bonds of twenty foure thousand Eight hundred pounds of tobacco

each of them, bearing date the twenty seventh day of february One thousand six hundred Seventy seven with Condicións thereunder written, passed by the said Richard Chillman in his life tyme to the said Michael Miller Liber W. C.

Octob^r 9th 1679

Upon the petición of John Davis of Calvert County, that one John Price doth endeavour & intend to make a rowling path for tobacco thorow his Corne field, which if permitted will much prejudice him. Whereupon itt is ordered by the Court here, that the Comission^{rs} of Calvert County Court take care to Order that the said John Price doe not trespas upon the land of the said John Davis to make any new paths thorow his land, but that he keepe the old usuall path for rowling his tobacco to the Creeke

Octob^r 13th 1679

Allowed to John Nicolson for comeing goeing & attendance to testifie for Edward Gibbs ag^t Theophilus Turford in all fifteen dayes att thirty p day, is foure hundred & fifty pounds of tobacco

John Hamilton	} This action is agreed
ag ^t	
Jn ^o Rawlings	

W ^m Dare Adm ^r	} p. 58
John Parker	
ag ^t	
Jn ^o Richardson	
Tho: Wynne	
ag ^t	
Gerard Slye	
the same	
ag ^t	
the same	
the same	} The Defend ^{ts} by Christopher Rousby their At- torney appeare & imparle untill next Court
ag ^t	
the same	
ag ^t	
the same	
John Atkey	}
ag ^t	
Richard Ladd	

Octob^r 10th 1679

Ordered by the Court, that the Justices of S^t Maryes County Court take care of the Estate of Thomas Loquer the Orphan of Thomas Loquer deceased remaining in the hands of Gerard Slye Adm^r of the Goods & Chattles rights & creditts which were of

Liber W. C. Richard Chillman deceased And that the said Justices doe and are hereby impowered to call the said Gerard Slye to Accompt for the same And itt is further Ordered by the Court that no judgm^{ts} passe in the said County Courts against the Estate of the said Richard Chillman, untill the said Thomas Loquers Estate be first secured for him by the said Justices

Octob^r 15th 1679

Allowed to Andrew Norwood of Ann Arundell County for comeing goeing & attendance to testifie for Peter Pagan agst Thomas Bland in all fiftene dayes att thirty p day is ffoure hundred & fifty pounds of tobacco

Octob^r 15th 1679

Allowed unto Cap^t Richard Hill & Edward Dorsey of Ann Arundell County for comeing going & attendance to testifie for Peter Pagan att the suite of Thomas Bland in all twenty six dayes att thirty p day which is to each of them seven hundred & Eighty pounds of tobacco

W ^m Cole & ux Ex ^x	}	} These three causes are agreed
Mich ^l Rochford		
ag ^t	}	
Jn ^o Stevenson		
the same	}	
ag ^t		
Cuthbert Scott	}	
Jn ^o Rawlings		
ag ^t	}	
Jn ^o Hamilton		

p. 59 Octob^r 8th 1679

Upon the peticoⁿ of Michael Miller of Kent County, that Thomas Currey his Servant being Arraigned att this Court for the death of one Elizabeth Walton, was ordered to sue forth his pardon, the charges whereof & Sheriffes ffees he hath paid to Thomas Marsh then Sheriffe of the County of Kent, & requested an order of this Court for the deliury of his Servant detained by Clemen[t] Hill late high Sheriffe of s^t Maryes County. Whereupon (the said Clement Hill being p^rsent in Court) itt is Ordered that the said Clement Hill deliver up to the said Michael Miller the aforesaid Servant And that the said Michael Miller pay or cause to be paid unto the said Clement Hill for ffees and other charges the Summe of One thousand foure hundred p^ds of tobacco in the aforesaid County of S^t Maryes by the tenth day of Decemb^r next

Octob^r 13th 1679

Liber W. C.

Upon the peticon of Mary Symondes, that in April one thousand six hundred Seventy seven she came into this Province a servant, & was sould to M^r Robert Ridgely, & by him assigned to Jacob Lookerman, & by him sould to Richard Jones who intended to make her his wife, & bound over his Cropp & gave security for paym^t for her. And that the said Richard Jones tooke her away from the said Jacob & sent her to W^m Guithers till he could better provide for her & marry her, & by that meanes the said Jones had the use of her body, & that she pressing him the said Jones to marry her according to his promise, the said Jones promised in the p^rsence of severall wittnesses to marry her & sett her free That the said Jones is since run away, & the said Jacob pretending he hath bought her againe of Jones by y^e Chancelours warrant apprehended her & threatens to make her serve out her tyme with him And therefore humbly prayed an order of this Court for her freedome Whereupon Robert Carville Attorney for the said Mary Symonds being p^rsent And the said Jacob producing to the Court here a reassignment of the said Mary Symonds from the said Richard to the said Jacob Therefore itt is considered that the said Mary Symonds serve the said Jacob Lookerman the remainder of the tyme that she hath yet to serve

Octob^r 15th 1679

Upon the peticoⁿ of Gerard Slye Adm^r of the Goods & Chattles of Richard Chillman deceased, that the said Chillmans bookes of Accompts being much worne out & damnified by carrying them to County Courts, humbly requested an order of this Court that a true copy of any Accompt transcribed from the said bookes by the said Gerard or his booke-keeper, & proved to be a true transcript out of the aforesaid bookes before any two Justices of the peace or one of his Lordpp Councill may be taken & judged in any Court of this Province to be a sufficient prooffe of any such accompt so transcribed & proved as aforesaid Whereupon itt is considered by the Court, that no Answer be given to the aforesaid peticoⁿ, by reason there is now in force an Act of Assembly of this Province touching & concerning the p^rmisses

To the Right Hon^{ble} Charles Absolute Lord & Prop^{ty} of
this Province, & the Hon^{ble} Councill

p. 60

Most humbly sheweth

Unto yo^r Lordpp, that yo^r peticon^r Henry Stocket the Eighteenth day of June Anno one thousand six hundred seventy Eight being cast in the Provintiall Court by Robert Peca upon a writt of Error of a judgem^t obtained by yo^r peticoner against the said Peca in Ann Arundell County Court, did by George Parker his Attorney move the Court for a supersedeas & writt of Error to the upper

Liber W. C. house of the next Gen^l Assembly, that the same might be then argued; which the Court was then pleased to grant. yo^r peticōn^r giving such security for prosecuting the same as the Hon^{ble} the Chancelour should like & approve of. In obedience & pursuance to which order yo^r peticōn^r did giue such security, all which may appeare by a copy of the order of Court & the Chancelours Certificate hereunto annexed. The p^rmisses considered yo^r pet^r doth humbly begg an order of yo^r Lordpp & Hon^{ble} Councell to his Honor the secretary for the issuing forth of a writt of Error & supersedeas of the judgment aforesaid to be argued before the upper house att the next Gen^l Assembly according to the above order And as in duty bound he shall pray &c.

Octob^r 10th 1679

This peticōn referred to the consideracōn of the Justices of the Provintiall Court in Court sitting.

signed p order

John lLewellin Cl Consil

Afterwards to witt the thirteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Doni 1679 the aforesaid peticōn being read & heard, And George Parker Attorney for the said Henry Stocket And Robert Carville Attorney for the said Robert Peca being present in Court Itt is ordered that the said Henry Stocket have a supersedeas & writt of Error of the judgm^t aforesaid, he giving security to prosecute the same according to Act of Assembly Whereupon came the said Henry Stocket with W^m Burges & John Stanesby his suerties And the said W^m & John did acknowledge themselves to owe unto the said Robert Peca the sūme of Eighteen thousand foure hundred & twelve pounds of tobacco to be leavyed of their Goods & Chattles lands & tenements to the use of the said Robert Peca, in case the said Henry Stocket shall not prosecute his writt of Error before the upper house att the next Gen^l Assembly against the said Robert Peca with effect And also satisfie & pay (if the aforesaid judgm^t shall be affirmed all & singuler the debts daīnages & costs adjudged or to be adjudged upon the former judgm^t And all costs & daīnages also to be Awarded for the delaying of Execution, Unlesse the said Henry Stocket shall pay the same, or render his body to prison

p. 61 Henry Brayne } By vertue of a Comīssion bearing date the seventh
ag^t } day of June in the fourth yeare of the Dominion
Justinian Gerard } of the right Hon^{ble} Charles &c Annoq³ Doni 1679
to us John lLewellin & Thomas Lomax of the
County of S^t Maryes directed, thereby Authoriseing & appointing
us to Audite State & examine the accompts betweene Henry Brayne
& Justinian Gerard wee the said John lLewellin & Thomas Lomax
haveing accordingly mett this twentieth day of August Anno 1679

att M^r Rosewells house at Newtowne in the County aforesaid & Liber W.C.
 haveing fully perused & examined the said Accompts & the parties
 on both sides with their Evidences concerning the same, doe finde,
 that the said Justinian Gerard doth stand indebted to the said Brayne
 the Summe of fifteene hundred thirty three pounds of tobacco upon
 ballance of Accompts as the same is written stated & adjusted. In
 testimony whereof we have hereunto sett & affixed our hands &
 Seales this said twentieth day of August in the fourth yeare of the
 Dominion of the right Hon^{ble} Charles &c Annoq Doni 1679

John lLewellin (sealed)
 Thomas Lomax (sealed)

Maryland Anno 1674

Goods for acc^t of M^r Hen: Brayne D^r

April 17 th	To nill att receipt of a pcell from him att two severall tymes to say Two quarter Cask of rumm..... One cask w th some lyme juice in itt.... One bagg w th some rotten ginger in itt.. 24. paire of Stockings of Sorts..... 4 hhds & two barrels of Suger, two of the hhds filled into one }.... hhd after landed.....}	
	To my Comission for Sales & store- idge as p Agreem ^t att 10 p Cent....}	1325
Octob ^r 27 th	To ditto Brayne his acc ^t curr ^t when all the debts owing to the credit ^t of this acc ^t shall be fully recd ^d the Summe of 11925 ^{lb} tob. I say.....}	11925
	Summa	13250

p Contra C^r

lb tob.

April 17 th	By y ^e pduce of 55. gall of } Rum att 40. is.....}	2200
	By nill for 5 gall 5 p ^{ts} of rum } spent amongst y ^e Customers. }	
	By y ^e pduce of 2 gall lime juice.....	80
	By nil for y ^e remaind ^r of y ^e lime juice stunk & thrown away.....}	
	By y ^e pduce of 38 ¹ / ₂ lb of ginger att 4 is..	154
	By nill for y ^e remaind ^r of the Ginger } rotten & good for nothing.....}	
	By y ^e pduce of 24. p ^e of stockings } of sorts	540

Liber W. C.

By y ^e pduce of 2288 ^{lb} Sugar att	}	.....	9152
4 ^{lb} p £ is.....			
By 281 ^{lb} of Sug ^r pd Cap ^t Apleton	}	.....	1124
in lieu of 2 barrels of tarr.....			
By nill for y ^e remaind ^r of the	}	.....
sug ^r stolne out of y ^e store...			

Dated Octob^r 27th 1674 Summa 13250

Errors excepted Jus: Gerard

1674

M^r Hen: Brayne his acc^t curr^t D^r

lb tob.

	To Jn ^o Apleton for 2 barr of tarr pd	}	..	1124
	him in Sug ^r as aboue.....			
	To a horse I was compelled to take	}	...	2200
	upon acc ^t of ditto Brayne w ^{ch} dyed			
	in my custody, & allowed for him.			
Jan ^{ry} 20 th	To Rob ^t Doyne on Rand ^a Brandts	}	...	800
	noat			
1676 Jan ^{ry} 26 th	To Edm ^d Dennis as p his receipt.....			2000
1677 April 17 th	To Major Benj ^a Rozer as p Dennis	}	..	360
	rec ^t			
May 10 th	To Major Isaac Allerton as p	}	.....	3000
	Dennis rec ^t			
	To Edm ^d Dennis as p his rec ^t			2000
June 20 th	To Jn ^o Sanders as p Dennis receipt....			529
	To 1 w ^t hood. 60. & 2 pe men gloues	}	..	84
	24 to Dennis att M ^r Bearcrofts is...			
	To my Comission for paying 12097 ^{lb}	}	..	605
	tob att 5. p Cent is.....			

Summa 12702

p Contra C^r

lb tob.

By ditto his acc ^t of Goods	}	.....	11925
for the neat proceed of			
that acc ^t			
By ballance due to me.....			777

Summa 12702

Dated in Maryland the first
May 1679.

Errors excepted
Jus: Gerard

	Ditto Brayne D ^r		Liber W. C. p. 62
	To ball as above.....	777	
August 20 th 1679	Due to ditto Brayne.....	1533	
		<hr/>	
		2310	
		<hr/>	
	C ^r		
	By horse not allowed of.....	2200	
	By sall for y ^e same also deducted.....	110	
		<hr/>	
		2310	
		<hr/>	

Now here att this day to witt the ffifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltimore &c Annoq̄ Doni 1679 came as well the said Henry Brayne by Christopher Rousby his Attorney as the said Justinian Gerard by Kenelm Cheseldyn his Attorney And the Accompt & report of the Auditors aforesaid being read & heard Itt is considered that the said Henry Brayne recover against the said Justinian Gerard the aforesaid Sum^e of ffifteene hundred thirty three p^{ds} of tobacco being the ballance of the above accompt As also seven hundred Seventy two pounds of tobacco costs of suite And the Defend^t in mercy &c

Tho: Bright }
 ag^t } This action in Ejectm^t abates, the Defend^t being dead
 Tho: Marsh }

Tho: Tailor Esq^r }
 ag^t }
 Josias Lenham & }
 James Balderstone }
 Adm^{rs} Jn^o Desiardins }
 Archibold Arthur }
 ag^t }
 the same }
 John Owen }
 ag^t }
 the same }
 John Peirce Ex^r }
 John Peirce }
 ag^t } These Seven actions are continued untill
 Edw^d Madox & ux: } next Court
 the same }
 ag^t }
 the same }

Liber W. C.	W ^m Sparkes	}
	ag ^t	
	Philip Lynes	
	Tho: Carlisle W ^m	
	Watson & al Ex ^{rs}	
	Cunningham	
	ag ^t	}
	Jn ^o Addison Ex ^r	
	Nic: Proddy	

Tho: Parker	}	Unlesse the Defend ^t appeare next Court, the Sher- iffe of Talbot County amerced
James Clayland		

p. 63	Benj ^a Nesham Lesse	}	In Ejectment
	of Robert Ridgely		
	ag ^t		
	William Layton	}	

This Cause this day to witt the thirteenth day of Octob^r in the fourth yeare of the Dominion of Charles Lord Baltemore Annoq Domins One thousand six hundred seaventy nine standing at Issue, The Plantiffe by his Attorney Christopher Rousby offered himselfe against the said Defendant of and upon the premisses, and prayed a Venire facias to the sheriffe to bee directed to Cause to come twelve &c^a, The said Defendant by Kenelme Cheseldyn his Attorney alleadged that in obedience to the Rule of the Court hee had put in his plea that advantage might not in strictnesse of Law bee taken against him for his Lachesse, but Craved a Jury of the Neighbourhood wth a surveyo^r upon the Land, but the plantiffe opposed the same and informed the Court that the Land in question was bounded by Edward southerne, und^r whome the Defend^t Claymes, July y^e first One thousand six hundred sixty nine upon a parcell of land called Hogsdowne and then surveyed for the said Southerne containing ffoure hundred and ffifty acres, and produces the Certificate of the said parcell of Land from the Record to the Court here duely attested, By w^{ch} it did appeare to the Court that the said parcell of land called hogsdowne surveyed for the said southerne the first of July 1669 did Joyne to a parcell of land taken up by M^r Stephen Horsey called Horseys Baliwick which is the Land claimed by the Plantiffe The said Plantiffe did informe the Court that the Land Claimed by the Defendant called also Horseys Baliwick Containing two hundred & ffifty acres was surveyed by the said Edward southerne the eighteenth day of November 1672 and produced the Certificate thereof attested, to the Court, and the said Two hundred and fifty acres lay betweene Horseys Baliwick taken up by stephen Horsey and now

claimed by the plantiffe & Hogsdowne taken up in 1669 by the said southerne and by him sould to one Gerrard in Virginia, and now in the posession of one Gerrard and Hill, That the said Two hundred and fifty acres claymed by the said Defend^t was surveyed by a Common Warrant & taken up of land formerly surveyed and lay betweene the said plantiffes Land called Horseys Baliwick Surveyed by stephen Horsey and Hogsdowne, and therefore the said survey was Voyd and the Grant thereof being pattent upon pattent without recitall of the first and could not nor Ought not to prejudice y^e sd p^{lt} the said plantiffe objected ag^t any Jury upon the Land for that the matter ought to bee tryed by a Jury at the Barr hee haveing nothing but Record, for his Evidence against which there can bee noe Averment, but the said Defendant craveing a resurvey of Horseys Baliwick formly surveyed by stephen Horsey the Court thought fitt at the Defend^{ts} request to order that the same bee laid out according to the ancient bounds thereof by the surveyor of Somerset County who is hereby appointed impowred and comanded to lay out the same in the presence of the sheriffe of the said County Who is hereby comanded & impowrd to summons a Jury of the Neighbourhood, Provided that the said surveyor and Jury Cause the said Land called Horseys Baliwick surveyed for the said stephen Horsey and the said parcell of Land called Hogsdowne surveyed Anno 1669 for the said southerne to Joyne one to another, and that they returne a Certificate of there proceedings herein to the Court here on the tenth day of ffebruary next under the hand and seale of the surveyor sheriffe & Jurors aforesaid that soe his Lordships Justices being fully informed of the truth of the premises may doe herein as to Justice apperteynes,

Liber W. C.

To the R^{tt} Hono^{ble} Charles absolute Lord and Proprietary of this Province (of Maryland) p. 64

The humble Peticon of Sam^{ll} Raspine of Charles County ffactor
& Ajent of Nicholas Page Thomas Welbourne & Amos
Bonvile Merchants

Humbly Sheweth

Unto your Lords^{pp}, that the said Thomas Welbourne Nicholas Page and Amos Bonvile obtained Judgm^t against one John saunders of the said County. att a Provinciall Court held the eighteenth day of June Annoq^o Domini 1678, for the sume of ffifty two thousand pounds of Tobacco and Costs of suite, And did thereupon Issue out Execution to the sheriffe of the said Charles County, the said John Saunders then being in custody of the said sheriffe for want of speciall Bayle upon a certaine Acc^{on} comenced against him by one John Machine of the Kingdome of England But before the said sheriffe received the said Execution, as hee returnes, the said saunders out of the custody of the said sheriffe made his escape Leaveing a consid-

Liber W. C. erable personall estate in Debts, Goods & Chattels in the said Charles County sufficient to satisfie the Judgm^t as aforesaid obtained by the said Nicholas Page Thomas Welbourne and Amos Bonvile, But the said Court being soe informed of the escape of the said saunders out of this Province, and that the said saunders had left a considerable estate behinde him as aforesaid, and not knowing whether the said sheriffe might bee chargeable with the said estate, and that ye estate of the said saunders might bee Imbezelled & soe the said Machen might bee defeated of his debt, and not remembering y^e Judgment obtained as aforesaid by the said Page Welbourne and Bonvile, Did order the said sheriffe of Charles County to take into his custody the Estate of the said John saunders, and the same to detain till further order. Which the said sheriffe accordingly did, By meanes and Collour of w^{ch} said order the Judgement^t Legally obtained by the said Page Welbourne and Bonvile is reduced after a greate charge and trouble in Obtaining the same altogether fruitlesse and Ineffectuall, the said order of Court being sufficient to indemnifie the said sheriffe in not Laying the said Execu^{co}n upon the estate of the said saunders at the suite of the said Page Welbourne & Bonvile as your Peticon^r is certainly informed, And alsoe by reason of the said sheriffe's soe taking the same into Custody without his givinge an Acc^t of the same to the said Court, It's impossible for y^e same to bee discovered, Yo^r Peticōner therefore humbly prayes that the said order of Court may bee sett apart & voyd And that what estate of the said John saunders the said sheriffe by vertue of the same hath taken into custody hee may give an acco^t of the same what it is to this next Provinciaall Court, and to shew reason why the same according to Law may not bee lyable to the Execution of the said Page Welbourne & Bonvile

And Your Peticon^r shall pray &c^a

Upon Reading the aforegoing Peticōn Itt is Ordered by the Court here this day to witt the ninth day of October in the fourth yeare of the Dominion of the R^{tt} Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1679 that the ord^r of this Court formerly made to impower the sheriffe of Charles County to take into his posession the estate of John Saunders, Bee and is whereby Vacated and dissolved upon the request of Kenelme Cheseldyne ye attorney Of Nicholas Page Thomas Welbourne and Amos Bonvile

p. 65	Justinian Gerard ag ^t	}	In Ejectm ^t John Coode Lessor
	Vincent Mansfield	}	And in the same cause itt was ordered by the consent of Robert Ridgely Attorney for the plaintiffe, & Nehemiah Blakiston Attorney for Vincent Mansfeild, that the said Vincent Mansfield should be admitted Defend ^t and that he forthwith appeare & receive a Declaracōn & plead to itt the gen ^{ll} issue, & att the tryall to be thereupon had, the

said Vincent Mansfield shall appear in his proper person or by his Attorney, & shall confesse Lease Entry & Ejectm^t or that in default thereof judgm^t shall be entred against the said Defend^t Thomas Lomax the casuall Ejector, but all further prosecution against him shall cease, untill the said Vincent Mansfield shall make default in any of the p^rmisses. And itt is further ordered by the Court by the consent aforesaid, that the said Vincent Mansfield shall not take any advantage against the plaintiffe for not prosecuteing upon the tryall occasioned by such default, but that the said Vincent Mansfield shall pay to the plaintiffe the costs by this Court to be taxed in this cause And itt is further ordered that the Lessor to the plaintiffe shall be charged with the paym^t of the costs to the Defend^t if any be adjudged to him

Liber W. C.

Tho: Tasker	}	In Ejectm ^t Thomas Cosden & ux: Lessors
agt		
Tho: Medley	}	Itt is ordered by the Court, by the consent of George Parker Attorney for the plaintiffe, & Kenelm Cheseldyne Attorney for Tho: Medley that he the said Thomas Medley be admitted Defend ^t who without delay shall appeare by his Attorney aforesaid, & receive the declaracōn, & plead to itt the gen ^l issue, & att the tryall the said Thomas Medley shall appeare in his proper person or by his Attorney, & shall acknowledge Lease entry & Ejectm ^t or for default judgem ^t shall be entred against the Defend ^t John Broome the casuall Ejector And further prosecution be spared against the said John Broome untill default be made And itt is further ordered by the Court, that the said Thomas Medley shall take no advantage against the plaintiffe for not prosecuteing upon the tryall occasioned by the default aforesaid, but that the said Thomas Medley shall pay to the plaintiffe the costs by this Court to be taxed in this cause. And itt is further ordered, that the Lessors to the plaintiffe shall be charged with the paym ^t of the costs to the Def ^t if any be adjudged to him

Mary Eaton	}	The plaintiffe by Kenelm Cheseldyn her Attorney filed her bill this Court against the Defend ^t one of Vinc ^t Lowe Esq ^r the Justices of this Court.
agt		

John Bawdon	}	The Defend ^t by Robert Ridgely his Attorney appeares and imparles untill next Court
agt		
John Quigley		

W ^m Calvert Esq ^r	}	Unlesse the Def ^t appeare next Court, the Sheriffe of Baltemore County amerced
agt		
Tho: Long		

Liber W. C. John England }
 ag^t } This action abates, the Def^t being dead
 Henry Elliot }

p. 66 Nicholas Painter }
 ag^t } }
 Jn^o Blomfield } }
 Mich^l Miller } }
 ag^t } }
 Matt: Earickson } } These foure actions are agreed
 the same } }
 ag^t } }
 the same } }
 Vincent Lowe Esq^r } }
 ag^t } }
 Ralph ffishborne } }

Kenelm Cheseldyn }
 ag^t } The Sheriffe of S^t Maryes County having
 Oliver Davis } returned in these two causes, that the Defend^t
 the same } is not to be found within his bailywick, the
 ag^t } plaintiffe in his proper person one of the At-
 the same } torneys of this Court moved for an Attachment
 } against the Goods & Chattles of the said Defend^t
 } according to Act of Assembly in that case made
 } & provided & itt is granted unto him by the Court here

W^m Stevens } The Sheriffe of Talbot County having returned
 ag^t } in this cause, that the Defend^t absconds himselfe,
 Tho: Shillington } the plaintiffe by Robert Ridgely his Attorney
 } moved for an Attachm^t against the Goods &
 } Chattles of the said Defend^t, & itt is granted unto him by the
 } Court here

Marke Cordea } Unlessse the Defend^t appeare next Court, the Sher-
 ag^t } iffe of S^t Maryes County amerced
 Richard Atwood }

W^m Dowlberry } The Sheriffe of Dorchester County having re-
 ag^t } turned a Cepi in this Cause, the plaintiffe by Kenelm
 Tho: Tailor } Cheseldyn his Attorney moved the Court for spe-
 } ciall baile, & itt is granted, whereupon this day to
 } witt the tenth day of Octob^r in the fourth yeare of the Dominion of
 } the right Hon^{ble} Charles Lord Baltemore &c Annoq^o Doni 1679 came
 } the said Thomas Tailor with John Richardson his Suerty who under-
 } tooke for the said Thomas Tailor in the Sum^e of One hundred & fifty
 } pounds sterl to be Leavyed of his Goods & Chattles lands & tenements

to the use of the said W^m Dowlberry upon this Condiçōn, that if the said William Dowlberry shall obtaine a judgement in an action of trespas upon the case depending in this Court against the said Thomas Tailor, that then the said Thomas Tailor shall pay the condemnacōn or deliver himselfe to the prison of the Sheriffe of the County of S^t Maryes, or he the said John Richardson will doe itt for him, which security was accepted of by the plaintiffes Attorney, And thereupon the said Thomas Tailor by Robert Ridgely his Attorney appeares & imparles untill next Court.

Liber W. C.

Octob^r 10th 1679

Allowed unto John Gyat & Joyce the wife of William Turner of Calvert County for comeing goeing & attendance to testife for Margaret Stagg att the suite of Roger Baker Eight dayes att thirty pounds of tobacco p day is to each of them two hundred & forty pounds of tobacco

James Bennet & W ^m Dowlberry ag ^t Tho: Tailor	}	The Sheriffe of Dorchester County havinge re- turned a Cepi in this cause, the plaintiffe by Kenelm Cheseldyn his Attorney moved the Court for speciall baile & itt is granted, whereupon this day to witt the tenth day of October in the fourth yeare of the Dominion of the right Hon ^{ble} Charles Lord Baltemore &c Annoq̃ Doni 1679 came the said Thomas Tailor with John Rich- ardson & Edward Cooke his suerties who undertooke for the said Thomas Tailor in the Summe of Thirty six thousand pounds of to- bacco to be Leavyed of their lands & tenements Goods and Chattles to the use of the said James Bennet & W ^m Dowlberry upon this Condiçōn. That if the said James Bennet & William Dowlberry shall obtaine a judgem ^t in an action of Covenant depending in this Court against the said Thomas Tailor, that then the said Thomas Tailor shall pay the condemnacōn or deliver himselfe to the Prison of the Sheriffe of the County of S ^t Maryes, or they the said John Richardson & Edward Cooke will doe itt for him. which suerties were accepted of by the plaintiffes Attorney And thereupon the said Thomas Tailor by Robert Ridgely his Attorney appeares & imparles untill next Court	p. 67
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John Penroy ag ^t Robert Mason	}	The Sheriffe of S ^t Maryes County haveing returned a Cepi in this cause, the plaintiffe by Kenelm Chesel- dyne his Attorney moved the Court for special baile, & itt is granted. Whereupon this day to witt the Eleventh day of October in the fourth yeare of the Dominion of the right Hon ^{ble} Charles Lord Baltemo[re] &c Annoq̃ Doni 1679 came the said Robert Mason with Jacob Loockerman, Henry Smith, & Thomas Keyting his suerties, who undertooke for the said Robert
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Liber W. C. Mason in the Sumē of two hundred pounds sterl, to be Leavyed of their & every of their Goods & Chattles lands & tenements to the use of the said John Penroy upon this Condiçōn, that if the said John Penroy shall obtaine a judgement in an action of Covenant depending in this Court against the said Robert Mason, that then the said Robert Mason shall pay the condemnaçōn or deliver himselfe to the Prison of the Sheriffe of the County of S^t Maryes, or they the said Jacob Loockerman Henry Smith & Tho. Keyting will doe itt for him, which suerties were accepted of by the plaintiffe's Attorney And thereupon the said Robert Mason by Robert Carville his Attorney appeares & imparles untill next Court

W ^m Dare Adm ^r	}	The Sheriffe of Dorchester County haveing returned a Cepi in this cause, the plaintiffe by Robert Ridgely his Attorney moved the Court for speciall baile, & itt is granted Whereupon this day to witt the ninth day of Octob ^r in the fourth year of the Dominion of the right Hon ^{ble} Charles Lord Baltemore &c Annoc ^y Doni 1679 came the said John Richardson with John Edmondson & Major Thomas Tailor his suerties, who undertooke for the said John Richardson in the Sumē of ffourteene thousand twenty nine pounds of tobacco to be Leavyed of their Goods & Chattles lands & tenements to the use of the said W ^m Dare upon this Condiçōn.
John Parker		
ag ^t		
Jn ^o Richardson		

p. 68 That if the Said William Dare shall obtaine a judgem^t in an action of debt depending in this Court against the said John Richardson, that then the said John Richardson shall pay the condemnaçōn, or deliver himselfe to the prison of the Sheriff of the County of S^t Maryes, or they the said John Edmondson & Thomas Tailor will doe itt for him, which suerties were accepted of by the plaintiffe Attorney, And thereupon the said John Richardson by Christopher Rousby his Attorney appeares & imparles untill next

October 14th 1679

Then was Richard Boughton of Ann Arundell County gentl sworne one of the Attorneys of this Court

Octob^r 8th 1679

Ordered by the Court, that a melius inquirendum issue, better to enquire what lands Robert Hood late of Kent County deceased dyed seized of in the County aforesaid

Octob^r 10th 1679

Ordered by the Court, that the Sheriffe of Charles County doe & is hereby ordered to deliver unto Samuell Raspin a true copy of the ballance of each mans accompt as itt stands upon the books of John Sanders by the twentieth day of this instant Month of Octob^r for which copy the aforesaid Samuell Raspin is hereby ordered to pay

unto the said Sheriffe so much tobacco as this Court shall adjudge & Liber W. C.
thinke fitt & reasonable And that the same Sheriffe doe deliver the
the originall bookes of the said John Sanders into the Secretaries
Office by the next Court And that the said Sheriffe make Oath before
the Hon^{ble} Benjamin Rozer Esq^r by the tyme aforesaid to what &
how much of the Estate of the said John Sanders he hath Attached.

Octob^r 11th 1679

Ordered by the Court, that in all actions upon a quantum meruit,
the plaintiffe file his Accompt with the declaracōn, otherwise a Non-
suite to be awarded against him

Octob^r 11th 1679

Allowed unto Jane Todd of Calvert County for comeing going
and attendance to testifie for Margaret Stagg att the suite of Roger
Baker nine dayes two hundred & Seventy pounds of tobacco

Octob^r 14th 1679

Allowed unto John Nicolson of Somerset County for comeing
going & attendance to testifie for Edward Gibbs att the suite of
Theophilus Turford, in all ffifteene dayes, ffoure hundred & fifty
pounds of tobacco

Marmaduke Bowdler	}	The Defend ^t by Robert Carvile his Attorney informed the Court that the plaintiffe is a fforreigner, And therefore demanded secur- ity for costs of suite, if the plaintiffe shall be nonsuited or cast in this action, which is accordingly ordered to be given by the next Court
ag ^t		
Samuell Tovey		

Robert Carvile	}	The jurors findeing for the plaintiffe in this cause, the Defend ^t by Christopher Rousby his Attorney moved in Arrest of judgem ^t whereupon day is given to both parties untill next Provintiall Court
ag ^t		
Richard Perry		

John Broome	}	Unlesse the Defend ^t appeare next Court, the Sheriffe of Talbot County amerced
ag ^t		
ffrancis Emberson		

Thomas Cooke	}	Unlesse the Defend ^t appeare next Court, the Sher- p. 69 iffe of Talbot County amerced
ag ^t		
Jn ^o Lislington		

Lord Prop ^{ty}	}	Comānd was given to the Sheriffe of Somerset County that he should Attach any the Goods or Chattles of John Longden to the Value of Seven- teene pounds five shillings & Eight pence sterling,
ag ^t		
John Longden		

Liber W.C. And when he had the same so Attached or any part thereof, the same in his custody to keepe, untill the said John Longden should by himselfe or his Attorney appeare here the seventh day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Doni 1679 to Answer unto Robert Ridgely gentl^y who for the said Lord Prop^{ry} in this behalfe prosecuteth of a plea of trespas upon the case On w^{ch} said seventh day of October the Sheriffe of the County aforesaid made returne of the writt aforesaid. that by vertue thereof he had Attached in the hands of Thomas Clarke of Som^rsett County aforesaid the Sum^e of Seventeen pounds five shillings & eight pence sterling.

Afterwards to witt the ninth day of Octob^r in the yeare aforesaid, itt being made appeare to the Court that the aforesaid Thomas Clarke lyes now under Execution att the suite of the aforesaid John Longden for the said Sum^e of money so Attached in his hands as aforesaid Therefore itt is considered that the Attachm^t be dissolved

John Longden	}	Com ^{and} was given to the Sheriffe of Som ^r sett County that he take Thomas Clarke if he should be found in his bailywick, & him safely keep, so that he have his body here the Seventh day of Octob ^r in the fourth yeare of the Dominion of the right Hon ^{ble} Charles Lord Baltemore &c Annoq ³ Doni 1679 to Satisfie unto John Longden as well the Sum ^e of Eighteene pounds sterling money of England, a certaine debt for damages recovered against the said Clarke the fifth day of June last past, as also the Sum ^e of One thousand three hundred sixty foure pounds of tobacco cost of suite On which said seventh day of Octob ^r the same Sheriffe made returne of the writt aforesaid, that by vertue thereof he hath taken the body of the said Thomas Clarke, whose body he hath ready as by the same writt he is com ^{and} ed. Whereupon the said Thomas Clarke att his own re- quest is com ^{and} ed to the Sheriffe of the County aforesaid, there to remaine in safe custody untill he shall satisfie & pay the debt of costs aforesaid
ag ^t Tho: Clarke		

Richard Edelen	}	Com ^{and} was given to the Sheriffe of Charles County that he should Attach any the Goods or Chattles of Henry Bennet if they should be found in his bailywick to the Value of five thousand three hundred & one pounds of tobacco And when he had the same so Attached or any part thereof the same in his custody to keepe untill the said Henry Bennet should by himselfe or his Attorney appeare here the Seventh day of Octob ^r in the fourth yeare of the Dominion of the right Hon ^{ble} Charles Lord Baltemore &c Annoq ³ Doni 1679 to Answer unto Richard Edelen in a plea that he render
ag ^t Henry Bennett		

unto him three thousand nine hundred & sixteene pounds of tobacco which to him he oweth & unjustly detaineth, On which said Seventh day of October the same Sheriffe made returne of the writt aforesaid, that by Vertue thereof he had Attached in the hands of Matthew Herman who married the Adm^x of Robert Casselton foure hundred pounds of tobacco. Liber W. C.

Maryland ss :

p. 70

William Burges late of Ann Arundell County gent, and Richard Hill of the same County gent Adm^{rs} of the goods and Chattells of samuel Withers deceased were attached to Answer unto Barnaby Dunch of a plea of trespas of the Case &c

And whereupon the said Barnaby Dunch by George Parker his Attorney Complayneth that Whereas the said Barnaby Dunch and the said William Burges Did, (to witt) the twelfth day of August in the yeare of our Lord God 1678 att the Citty of London accompt together, and upon that acco^t y^e said William Burges and Richard Hill was found to bee in arreares and indebted unto the said Barnaby Dunch as being then Adm^{rs} of the goods and Chattells of the said samuel Withers in the sume of forty five pounds one shilling and two pence of sterling money of England as by a pticular acco^t under the hand of the said William Burges here in Court pduced may appeare, and the said William Burges & Richard Hill being soe indebted to the said Barnaby Dunch, In Consideracon whereof the said William Burges did then and there assume upon himselfe and did faithfully promise that hee the said William Burges and Richard Hill the said sume of fforty two pounds one shilling and two pence to him the said Barnaby Dunch when thereunto required would well and truly Content satisfie and pay Notwithstanding which the said William Burges his promise & assumption soe as aforesaid made little regarding, but deviseing and fraudulently intending him the said Barnaby Dunch of the said sume of forty five pounds one shilling and two pence soe to him aforesaid due the said William Burges and Richard Hill though often thereunto required according to his promisse and assumption in that behalfe made have not satisfied or paid, or any Content for the same given, To the greate damage of the said Barnaby Dunch whereupon hee saith that hee is damnified, and hath losse to the vallue of Eighty pounds sterling money of England, And thereupon hee brings his suite

And the said William Burges by Robert Carvile his Attorney cometh and defendeth the force and Injury when &c, and saith that hee hath nothing to say in barr of the accōn aforesaid above ag^t him declared but that the said Barnaby Dunch should recov^r ag^t the estate of the said Sam^l Withers the aforesaid sume of fforty five pounds one shilling and two pence ster Therefore itt is Considered by y^e Court here this day to witt the tenth day of October in the

Liber W. C. fourth yeare of the Dominion of the R^{tt} Hon^{ble} Charles Lord Baltemore &c Annoq Doñ 1679 that the said Barnaby Dunch recov^r ag^t the estate of the said samuel Withers aswell the aforesd sume of forty five pounds one shilling two pence sterling as alsoe five hundred forty foure pounds of tobacco Costs of suite, And the Defend^t in mercy &

And the said Richard Hill by Robert Ridgely his Attorney cometh and defendeth the force and Injury when &c, and protesteth ag^t the aforesaid Judgem^t of the said William Burges to the aforesaid accōn of the said Barnaby Dunch ag^t the Estate of the said samuell Withers and dissasenteth thereunto, and prayeth liberty to imparle hereunto untill next Provinciaall Court

p. 71 I doe hereby authorize and appoint you to accept of Declaracon, and to appeare for me at the suite of Barnaby Dunch in accōn by him comenced against me as one of the Administrators of samuell Withers deceased, and to confesse Judgem^t for the sume of forty five pounds one shilling & two pence And for soe doing this shall bee your Warrant Given und^r my hand this tenth day of October Annoq Dominy 1679

To Robert Carvile of y^e Attornyes
of y^e Provinciaall Court

William Burges

Witnesse: **Henry Bonner**

John Quigley } Comānd was given to the Sheriff of Charles County,
ag^t } that he should Attach any the Goods or Chattles of
Joseph Eaton } Joseph Eaton if they should be found in his baily-
wick to the Value of thirteen thousand three hundred
forty & foure pounds of tobacco And when he had the same so
Attached or any part thereof the same in his custody to keep untill
the said Joseph Eaton should by himselfe or his Attorney appeare
here the Seventh day of Octob^r in the fourth yeare of the Dominion
of the right Hon^{ble} Charles Lord Baltemore &c Annoq Doni 1679.
to Answer unto John Quigley in a plea that he render unto him his
reasonable accompt of the tyme he was receiver of the Goods M^cchan-
dizes & tobacco of him the said John. On which said Seventh day
of Octob^r the same Sheriffe made returne of the writt aforesaid,
that by vertue thereof he had Attached in the hands of Col Benj^a
Rozet the quantity of Eight thousand & two pounds of tobacco
whereupon the said John Quigley by Robert Ridgely his Attorney
prayed that the aforesaid quantity of tobacco might be condemned
unto him upon giving security according to Act of Assembly in
that case made & provided & itt is granted by the Court here

Now here att this day to witt the tenth day of Octob^r in the yeare
aforesaid came the said John Quigley with John Hamilton & James
Mills his suerties who undertooke for the said John Quigley in the
Sume of Eight thousand & two p^{ds} of tobacco to indempnifie this

Court against all actions suits or other matters that may happen touching or concerning the abovesaid Attachm^t And shall make restitution of the above said Eight thousand & two pounds of tobacco or the Value thereof. In case the said Joseph Eaton or his Attorney shall within one yeare & a day make his just & due defence & proceed on in the said action in comon forme, & make itt appeare that the said Jn^o Quigley is satisfied his just demand Liber W. C.

And now here att this day to witt the fourteenth day of ffeb^{ry} in the yeare aforesaid, the Court haveing demanded of the Hon^{ble} Col Benjamin Rozer now p^rsent in Court if he were indebted to the said Joseph Eaton the said Sum^e of Eight thousand & two pounds of tobacco that was so Attached in his hands, & he replied that he was indebted the said Sum^e by bill to the said Joseph Eaton, but that his bill was in Eatons hand & demanded of the Court which way he should be secured & discharged against his bill, & the Court were of opinion, that the security given into this Court by the said John Quigley upon the said Attachm^t was as much as could be expected for the Security of the Court, & thereupon the Court condemned the said Tobacco Attached, & Ordered that the said Benjamin Rozer pay unto the said John Quigley the said Sum^e of Eight thousand & two pounds of tobacco so Attached in his hands as aforesaid p. 72

Octob^r 16th 1679

Christopher Rousby the Attorney of Richard Perry did then acknowledge satisfaction to a judgm^t obtained by the said Richard Perry against Thomas Truman for twelve thousand Eight hundred thirty one pounds of tobacco debt, together with Eight hundred Seventy & two pounds of tobacco costs of suite the two & twentieth day of ffeb^{ry} Anno Doni 1677

George Yate Adm ^r	{	Comand was given to the Sheriffe of Balte-
Robert Wilson		more County That whereas itt was formely co-
ag ^t		mmanded the same Sheriffe that he should re-
W ^m Cromwell		pleive & cause to be delivered unto George Yate
		Adm ^r of Robert Wilson deceased one grey geld-

ing which W^m Cromwell tooke & unjustly detained (as itt is said) against suerties & pledges, to be returned if the returne of him be adjudged, And that he should putt by sure & safe pledge the aforesaid W^m Cromwell that he should be & appeare here the third day of June in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Anoq^o Doni 1679. to answer the said George Yate of a plea of takeing &c unjust detaining of the gelding aforesaid On which said third day of June the same Sheriffe made returne that the said William Cromwell was not to be found within his bailywick, but absconds himselfe, & hath conveyed away the grey gelding aforesaid that he could not repleive the same And therefore comand

Liber W. C. was given the same Sheriffe, that the Goods & Chattles of him the said W^m Cromwell in his bailywick to the Value of the grey gelding aforesaid which to the said George Yate are adjudged in Withernam to take & them safely & securely he keep untill the aforesaid grey gelding unto the said George Yate which were of the proper Goods & Chattles of the said Robert Wilson deceased he may deliver And putt by sure & Safe pledges the said W^m Cromwell that he be & appeare here the Seventh day of Octob^r in the yeare aforesaid to Answer as well unto his Lordshipp the Lord Prop^{ty} of this Province of the contempt to his Lordpp as the said George Yate of the damages & injuries to him on that behalfe brought On which said Seventh day of Octob^r the same Sheriffe made returne of the writt aforesaid that by vertue thereof he hath taken from the said William Cromwell two Servants which are att his house ready to be delivered when lawfully demanded As also W^m Cromwell whose body is ready to answer according to tyme & place And thereupon the said W^m Cromwell appeares by Christopher Rousby his Attorney And imparles untill next Court

Robert Ellys } Comand was given to the Sheriffe of Kent County
 ag^t } that of the Goods & Chattles of John Quigley if they
 John Quigley } should be found in his bailywick he cause to be made
 as well the Summe of two thousand five hundred
 pounds of tobacco a certaine debt for damages recovered against
 him the said John Quigley att a Provinciaall Court held here the
 Sixth day of June last past by Robert Ellys whereof he is convicted
 as also the Summe of twelve hundred forty six pounds of tobacco costs
 p. 73 of suite And when he had the same so made or any Part thereof
 the same in his custody to keepe, so that he have the same here the
 seventh day of Octob^r in the fourth yeare of the Dominion of the
 right Hon^{ble} Charles Lord Baltemore &c Annoq^d Dni 1679 to render
 to the said Robert Ellys On which said seventh day of Octob^r the
 same Sheriffe made returne of the writt aforesaid, that by vertue
 thereof he had executed in the hands of Lewis Blangy three thousand
 four hundred pounds of tobacco being the Estate of John Quigley

Att a Provintiall Court held att the City of S^t Maryes the tenth
 day of ffebruary in the fifth yeare of the Dominion of the right
 Hon^{ble} Charles Lord Baltemore &c Annoq^d Doni 1679 And
 there continued untill the Nineteenth day of the same Month,
 on which said tenth day of ffeb^{ry} were p^rsent

The Hon ^{ble}	{	Philip Calvert Esq ^r Chancelour	}	Nic: Painter Ct
		Benjamin Rozer Esq ^r		
		W ^m Stevens Esq ^r		

Then was George Talbot Esq^r sworne one of his Lordpps Justices Liber W. C.
of this Court

ffeb^{ry} 11th 1679

Then was William Diggs Esq^r sworne one of his Lordpps Justices
of this Court

Thomas Hagelton	}	These Seaven actions are continued untill next Court
ag ^t		
Thomas Truman		
G V Sweringen Ad ^r		
Jn ^o Deery: ag ^t		
John Quigley		
the same		
ag ^t		
the same		
G V Sweringen		
ag ^t		
John Quigley		
the same		
ag ^t		
the same		
John Sanders	}	
ag ^t		
Tho: Helgar		
Gerard Slye		
ag ^t		
the same	}	

Edward Man	}
ag ^t	
John Atkey	
Richard Royston	
ag ^t	
Symon Irons	
the same	
ag ^t	
the same	
the same	
ag ^t	
the same	
John Edmondson &	
ffrancis Whittwell	
ag ^t	
Richard Bailly	

Liber W. C.	Robert Carvile	} These fourteen causes are agreed
	ag ^t	
	Richard Perry	
	John England	
	ag ^t	
	Thomas Wynne	
	Thomas Wynne	
	ag ^t	
	John Anderson	
	John Bearcroft	
	ag ^t	
	Marg ^{tt} Stagg Ad ^x	
	Thomas Stagg	
	Tho: Rushmore	
	ag ^t	
	Eliz ^a Wincles Ex ^x	}
	Edward Wincles	
	Tho: Jones	
	ag ^t	
	W ^m Cole & ux Ex ^x	
	Mich ^l Rochford	
	Richard Johns	
	ag ^t	
	Edward Carter	
	W ^m Dare	
	ag ^t	
	Tho: Shelton	
	W ^m Burges	
	ag ^t	
	John Peirce Ex ^r	
	John Peirce	

p. 75 James Lewis } Miles Grey late of Som^rsett County planter was At-
 ag^t } tached to answere unto James Lewis of a plea of tres-
 Miles Grey } pas upon the case

And whereupon the said James by Robert Ridgely his Attorney complaineth, that whereas the said James haueing one guelding of the price of two thousand pounds of tobacco in the possession of the said Miles in Som^rsett County aforesaid, And also haueing six hundred & ninety pounds of beefe & ninety five pounds of porke & foure barrells & halfe of Indian Corne att the house of Randall Revell in Som^rsett County aforesaid, And the said James liveing & resideing in S^t Maryes County aforesaid, & being desirous to pcure the said horse beefe porke & corne to be transported out of Som^rsett County aforesaid to his own house in S^t Maryes County aforesaid, & haueing certaine communication with

the said Miles about the transporting & bringing over thereof, in the sloop of the said Miles, the said Miles the sixteenth day of Decemb^r in the yeare of our Lord One thousand six hundred seventy seven in consideration that the said James would sell & deliuer unto him the said Miles one woman Servant named Bridget for the tyme she had then to serve the said James being about five yeares, the said Miles did assume upon himselfe & to the said James did faithfully promise, that he the said Miles would pay unto him the said James one mare & Colt then ready down And also would pay & deliuer unto the said James att the plantacōn of the said James scituate in s^t Michaels Hundred in S^t Maryes County aforesaid one hundred pounds of salted well saved sound porke And also transport over unto the said James plantacōn from Som^rsett County aforesaid the said Guelding six hundred & ninety pounds of beefe, ninety five pounds of porke & foure barrells & halfe of Indian Corne, & the same att the plantation of the said James aforesaid in S^t Michaels hundred in S^t Maryes County aforesaid would deliuer & putt on shoare att or before the fifteenth day of ffebruary then next following And the said James in fact, saith, that trusting to the faithfull promise & assumpcōn of the said Miles to him the said James so as aforesaid in this behalfe so as aforesaid made, he the said James the said Sixteenth day of Decemb^r the said woman Servant named Bridget to him the said Miles for the tyme she had then to serve the said James being about five yeares did sell & deliver Notwthstanding which the said Miles Grey his promise & assumpcōn so as aforesaid made not regarding, but deviseing & fraudulently intending him the said James in this behalfe craftily & subtilly to deceive and defraud, the said Miles the said one hundred pounds of porke to him the said James according to his promise & assumption aforesaid hath not paid nor delivered, nor the said Guelding six hundred & ninety pounds of beefe, ninety five pounds of porke and foure barrells & a halfe of Indian Corne out of Som^rsett County aforesaid to the plantation of the said James in S^t Michaels hundred in S^t Maryes County aforesaid hath not transported, but the same porke to pay, the said Guelding, six hundred & ninety pounds of beefe, ninety five pounds of porke & foure barrells & halfe of Indian Corne to transport according to his promise aforesaid hath refused & denied although often thereunto requested, & to pay & transport the same as yet doth refuse and deny to the damage of the said James three thousand pounds of tobacco And thereupon he bringeth his suite

p. 76

And the said Miles Grey by Robert Carvile his Attorney cometh and defendeth the force & injury when &c And prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto him, the same day is giuen to the plaintiffe also

Att which said next Provintiaall Court to witt the sixth day of June in the fourth yeare of the Dominion of the right Hon^{ble} Charles

Liber W. C. Lord Baltemore &c Annoq̃ Doni 1679 came the said parties by their Attorneys aforesaid And the said Miles by his said Attorney saith, that he did not assume upon himselfe nor to the said James make such promise as the said James hath above imposed upon him And of this he putts himselfe upon the Countrey And the said James likewise Therefore itt is comāded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c which jurors being impannell & called came to witt John Evans, Richard Sweatnam, Antho Evans, Nicholas Hacket, Robert Smith, John Watson, Theophilus Turford, James Harrison, Robert Graham, Henry Penniston, Richard Hill & Richard Royston, who being Elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say that the said Miles Grey did assume upon himselfe & to the said James Lewis make such promise as the said James hath above imposed upon him And they asseesse the damage of the said James Lewis to foure hundred pounds of tobacco. And thereupon the said Miles by his Attorney aforesaid moved the Court in Arrest of judgm^t upon the Verdict of the jurors aforesaid, whereupon day is given to both parties untill next Provin-tiall Court

Now here att this day to witt the fourteenth day of ffeb^ry in the fifth year of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq̃ Doni 1679 came the said parties by their Attorneys aforesaid And the said Miles Grey by his Attorney aforesaid fletth his reasons for Arresting the judgem^t aforesaid which followes Viz^t

Reasons for Arresting the judgem^t in this cause The plaintiffe declares against the Defend^t that he haveing a guelding in the Defend^ts possession of the Value of two thousand pounds of tobacco, & haveing six hundred & ninety pounds of beefe & ninety five pounds of porke & foure barrells & halfe of Corne in the possession of Randall Revell in Som^rsett County which horse meat & Corne he was minded to haue transported over to the plaintiffes plantacōn, & haueing comūication, with the Defend^t about the same the Sixteenth day of Decemb^r One thousand six hundred Seventy seven in considercōn that the plaintiffe would sell & deliuer him a woman Servant named Bridgett who had about five yeares to service, the Defend^t did assume to pay the plaintiffe a Mare & a Coult then ready downe, & would pay him att his plantacōn in S^t Michaels hundred one hundred pounds of good salted sound porke, & transport over for the said plaintiffe the gelding the six hundred & ninety pounds of beefe & ninety fue pounds of porke, & the foure barrells & halfe of Corne, & the same would deliver & putt on shoare att or before the fifteenth day of ffebruary then following. the plaintiffe trusting to his promise delivered the Servant, yet notwithstanding the Def^t hath not paid the One hundred pounds of porke, nor the geld-
p. 77 ing the six hundred & ninety pounds of beefe, ninety five pounds of

porke, foure barrells & halfe of Indian Corne out of Som^rsett County hath not transported, to the damage of the said plaintiffe three thousand pounds of tobacco. To which the Defend^t pleaded the generall issue, & gaue the speciall matter in Evidence in this manner

1st first as to the One hundred pounds of porke the Defend^t was to pay him, the Defend^t brought the same over for him in March One thousand six hundred Seventy seven, but he & his sloop were presst away then. March was the first tyme winde and weather would permitt him to come over, that he had tendred the same since but the plaintiffe would not receive the same

2^{dly} That the Defend^t was only to transport the Guelding beefe porke & corne of Revells when they were put on board his sloop And as soone as they were putt on board the sloop the transported the gelding & ninety nine pounds of porke & foure hundred & fifty pounds of beefe, all which he received in Septemb^r One thousand six hundred Seventy Eight, in full for his due from Revell. And before the issuing out of the originall he ha[d] received satisfaction from Revell for the foure barrells & halfe of corne as by receipts under the plaintiffes hand for the corne & meat then produced appeared And that he had received the mare & Colt was not in question, & all of them long before the tryall. So that the only thing in question was the One hundred pounds of porke the Defend^t was to pay & had tendered as aforesaid & he refused to receive the same, so that there was no colour for action for more then the One hundred pounds of porke, which being under the Value of fifteen hundred pounds of tobacco ought to haue bin sued in the County Court according to the Act in that case made & provided, but the jury being impannelled & sworne upon the whole declaration found for the plaintiffe foure hundred pounds of tobacco for the said one hundred pounds of porke. Whereupon the said Defe[n]d^t saith, that the said foure hundred pounds of tobacco is not by the Act aforesaid tryable in this Court, nor within the jurisdiction thereof, And for that reason he desireth the said judgem^t may be Arrested.

Which reasons aforesaid being read heard & argued, & by the Justices here fully understood, itt seemeth to the same Justices, that the reasons aforesaid are insufficient in Lawe to Arrest judgm^t upon the Verdict of the jurors aforesaid. Therefore itt is considered, that the said James Lewis recover against the said Miles Grey as well the Summe of ffoure hundred pounds of tobacco damages by the jurors aforesaid in forme aforesaid assessed As also two thousand six hundred & nineteen pounds of tobacco costs of suite And the Defend^t in mercy &c

Edward Man }
ag^t }
John Quigley } |

Liber W. C.

Liber W. C.	Benj ^a Randall	}	These three actions are continued untill next Court
	ag ^t		
	W ^m Harris		
	Stephen Murty		
	ag ^t		
	Jn ^o Edmondson	}	

p. 78	Tho : Wynne	}	These tenn actions are agreed.
	ag ^t		
	Gerard Slye		
	The same		
	ag ^t		
	The same		
	The same		
	ag ^t		
	The same		
	The same		
	ag ^t		
	The same		
	Jn ^o Peirce Ex ^r		
	Jn ^o Peirce		
	ag ^t		
	Edw ^d Maddox & ux		
	The same		
	ag ^t		
	The same		
	Tho : Cooke		
	ag ^t		
	Jn ^o Lislington		
	Nich : Painter		
	ag ^t		
	Roger Filson		
	John Rousby		
	ag ^t		
	John Price		
	Josiah Bacon		
	ag ^t		
	Joseph Maning & ux		
	Ex ^x Jn ^o Blackfan		

Mary Roe Ex ^x	}	Nicholas Hacket late of Talbot County planter otherwise called Nicholas Hacket of the County of Talbot was sumoned to Answer unto Mary Roe Ex ^x of the last will & testament of Edward Roe deceased, in a plea that he render unto her the whole & entire Summe of Eighteene thousand five hundred thirty & six pounds of good tobacco in caske which from her he unjustly detaineth
Edw ^d Roe		
ag ^t		
Nich : Hacket		

And whereupon the said Mary by John Blomfield her Attorney saith, that whereas the said Nicholas the third day of febr^y Anno^q Doni 167 $\frac{1}{2}$ by his certaine bond or writeing obligatory sealed with the Seale of him the said Nicholas & here in Court produced, whose date is the day & yeaere aforesaid did acknowledge himselfe to owe & be justly indebted to the said Edward Roe his heyres Ex^{rs} Adm^{rs} the whole & intire Sum^e of Eighteen thousand five hundred thirty & six pounds of good tobacco in caske the tenth day of Octob^r next ensuing the date thereof in some convenient place in Choptank River in the County aforesaid. Yet notwithstanding the said Nicholas the said Sum^e of Eightene thousand five hundred thirty & six pounds of tobacco to the said Edward Roe in his life tyme, nor to the said Mary Ex^x of the last will & testament of the said Edward though often required hath not paid, but the same to pay hath refused & yet doth refuse to the retardation of the Execution of the testament of the said Edward, whereupon she saith she is damnified & hath losse to the Value of thirty thousand pounds of tobacco, & thereupon she bringeth her suite And the said Mary bringeth here into Court the Letters testamentory of the said Edward Roe, that itt may appeare she is Ex^x as aforesaid

p. 79

And the said Nicholas by Charles Boteler his Attorney cometh & defendeth the force & injury when &c and prayeth hearing of the Obligation aforesaid & itt is read unto him, he also prayeth hearing of the Condition of the said bond or writeing obligatory, & itt is read unto him in these words Viz^t The Condition of this Obligation is such, that if the above bound Nicholas Hacket his heyres Ex^{rs} Adm^{rs} &c or either of them shall well & truely pay & satisfie the above named Edward Roe his heyres Ex^{rs} Adm^{rs} or either of them the whole & entire sum^e of nine thousand two hundred sixty & eight pounds of good tobacco in caske the tenth day of Octob^r next ensuing the date hereof in some convenient place in great Choptank River, that then this Obligation to be void, else to abide & remaine in full force strength & Vertue as wittnes, my hand & Seale this third day of february Anno^q Doni 167 $\frac{1}{2}$ which being read & heard the said Nicholas by his said Attorney saith, that the abovesaid Summe of nine thousand two hundred sixty & eight pounds of tobacco unto the aforesaid Edward Roe in his life tyme according to the tenour forme & effect of the Condition of the aforesaid Obligacoⁿ did well & truely pay & render, that is to say, upon the tenth day of Octob^r next ensuing the date of the aforesaid Obligation in a convenient place in great Choptank river And this he is ready to averr, whereupon he demands judgm^t whether the aforesaid Mary her action aforesaid ought to haue against the said Nicholas &c

And the said Mary saith, that she by anything before alleadged ought not to barred from haveing her action aforesaid, because she saith, that the aforesaid Nicholas the abovesaid sum^e of nine thou-

Liber W. C. sand two hundred sixty & eight pound[s] of tobacco unto the aforesaid Edward Roe in his life tyme according to the tenour forme & effect of the Condition of the aforesaid Obligacōn did not well & truely pay & render as the aforesaid Nicholas hath above alleadged And this she prayeth may be enquired of by the Countrey, whereupon day is given to both parties untill next Provintiall Court

Now here att this day to witt the Sixteenth day of ffebruary in the fifth year of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq̄ Doni 1679 came the said Mary Roe by her Attorney aforesaid, & offered herselfe against the said Nicholas Hacket in the plea aforesaid, but the said Nicholas came not but made default, Therefore itt is considered that the said Mary Roe recover against the said Nicholas Hacket the aforesaid sume of Eighteen thousand five hundred thirty [&] six pounds of tobacco debt
 p. 80 As also ffive hundred thirty & six Pounds of tobacco costs of suite And the Defend^t in mercy &c.

Edward Leach } Robert Murphy late of Talbot County was At-
 ag^t } tached to Answer unto Edward Leach of a plea of
 Robert Murphy } trespass upon the case

And whereupon the said Edward Leach by Robert Carvile his Attorney saith, that whereas the said Robert Murphy upon the fourteenth day of May Anno Doni one thousand six hundred seaventy eight had bought & received of the said Edward by the hands of Thomas Hinson Attorney of the said Edward Leach one thousand seven hundred & ffifteene yards of lining att five pounds & an halfe p yard which comes to nine thousand foure hundred thirty two pounds of tobacco And also Eleaven yards of broad cloath att forty pounds tobacco p yard which comes to foure hundred & sixty pounds of tobacco, which said Sumes amount in the whole to the sume of nine thousand eight hundred seventy & two pounds of tobacco In consideration whereof the said Robert did assume upon himself & to the said Edward did faithfully promise that he the said Robert the said Sume of nine thousand Eight hundred seventy & two pounds of tobacco to him the said Edward when he should be thereunto requested would well & truely satisfie & pay. Yet notwithstanding the said Robert his promise & assumption aforesaid little regarding but deviseing & fraudulently intending him the said Edward in this behalfe craftily & fraudulently to defraud & deceive, the said Sume of nine thousand Eight hundred seventy two pounds of tobacco to him the said Edward though often thereunto requested hath not paid or satisfied, but the same to pay and satisfie hath hitherto denyed & refused & still doth deny and refuse to the damage of the said Edward Sixteene thousand pounds of tobacco, & thereupon he bringeth his suite

And the said Robert by Christopher Rousby his Attorney com-

eth & defendeth the force & injury when &c and prayeth liberty to
 imparle hereunto untill next Provintiall Court & itt is granted unto
 him, the same day is giuen to the pⁿ also Liber W. C.

Now here att this day to witt the Sixteenth day of ffebruary in
 the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord
 Baltemore &c Annoq3 Doni 1679 came the said parties by their At-
 torneys aforesaid And the said Robert by his said Attorney saith,
 that he the said Edward his action aforesaid against him the said
 Robert ought not to haue because he saith, that he the said Robert
 the said Sumē of nine thousand Eight hundred Seaventy two pounds
 of tobacco nor any part thereof unto the said Edward to pay when
 thereunto required did not assume upon himselfe & to the said Ed-
 ward faithfully promise in manner & forme as in the said declara-
 tion is suggested, which the said Robert is ready to averr And of this
 he putts himselfe upon the Countrey, & the pⁿ also Therefore itt is
 comāded the Sheriffe of S^t Maryes County that he cause to come
 here twelve &c by whom &c And who neither &c to Recognize &c
 because as well &c on which said sixteenth day of ffebruary in the
 yeare aforesaid came the said parties by their Attorneys aforesaid
 And the jurors impannelled being called likewise came to witt Robert
 Ellys, W^m Thomas, Henry Exon, James Veitch, Tho: Beale, Tho:
 Hussy, W^m Bawdon, Tho: Alcock, Bernard Johnson, Tho: Allans-
 on, Edward Sise & Daniel Clocker who being Elected tryed & sworne
 to say the truth in the p^misses Upon their Oaths doe say, that the
 said Robert Murphy did assume & promise in manner & forme as
 as the said Edward Leach hath alleadged And they assesse the dañage
 of the said Edward to nine thousand eight hundred Seventy & two
 pounds of tobacco. Therefore itt is considered that the said Edward
 Leach recover against the said Robert Murphy the aforesaid Sumē
 of nine thousand Eight hundred seventy two pounds of tobacco
 dañages by the jurors aforesaid in form aforesaid assessed As
 also One thousand eight hundred & Eight pounds of tobacco costs of
 suite And the Defend^t in mercy &c p. 81

Vincent Lowe Esq ^r	} The jury finding for the p ⁿ in this cause, the
ag ^t	
John Quigley	} Sumē of three thousand Eight hundred pounds
	} of tobacco dañages with costs of suite, the
	} Defend ^t by Robert Ridgely his Attorney moved
in Arrest of judgem ^t whereupon day is given to both parties untill	
next Provintiall Court	

John England	} The jury finding for the Defend ^t in this cause, the
ag ^t	
Gerard Slye	} p ⁿ by Robert Ridgely his Attorney moved in Arrest
	} of judgem ^t whereupon day is giuen to both parties
	} until next Provintiall Court

Liber W. C. John Darnall } The pth haveing formerly Attached in the Defend^{ts}
 ag^t } hands foure thousand pounds of tobacco due from
 W^m Harris } him unto Jarvis Ballard And itt being made appeare
 to this Court, that the said W^m Harris hath none of
 the Estate of the said Jarvis Ballard in his hands Therefore itt is
 considered by the Court here this day to witt the fourteenth day of
 ffebruary in the fifth yeare of the Dominion of the right Hon^{ble}
 Charles Lord Baltemore &c Annoq; Doni 1679, that the Attachm^t
 aforesaid against the said W^m Harris be quashed.

John Davis } William Boyden late of Charles County was Attached to
 ag^t } Answer unto John Davis of a plea of trespas of the case
 W^m Boyden } And whereupon the said John Davis by Robert Car-
 ville his Attorney saith, that the said John Davis being
 upon the last day of Decemb^r One thousand six hundred Seventy
 seven possessed of two Servants named Edward Powell & Elizabeth
 haveing two yeares & upwards to serve, being of the proper goods
 & Chattles of the said John And so being possessed the said Edward
 Powell & Elizabeth his wife from the service of the said John did
 absent themselves And afterwards to witt the first day of January
 One thousand six hundred Seventy seven to the possession of the
 same W^m came. And he the said W^m knowing the said Edward &
 Elizabeth to be the proper servants of the said John Davis, & to the
 said John of right to belong & appertaine, craftily & fraudulently
 intending the said John in that behalfe craftily & subtilly to deceive
 & defraud, the said two servants to the said John though often there-
 unto requested hath not delivered, but the servants aforesaid to his
 owne proper use & profitt converted and disposed, to the losse of the
 said John tenn thousand pounds of tobacco, & thereupon he bringeth
 his suite

And the said William by John Rousby his Attorney cometh &
 defendeth the force & injury when &c and prayeth liberty to imparle
 hereunto untill next Provintiall Court, & it is granted unto him, the
 same day is given to the pth also

p. 82 Now here att this day to witt the Seaventeenth day of ffebruary
 in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord
 Baltemore &c Annoq; Doni 1679 came the said parties by their
 Attorneys aforesaid, And the said William by his said Attorney
 saith, that he is not guilty of the p^rmisses above declared against him
 And of this he putts himselfe upon the Countrey And the pth also
 Therefore itt is comāded the Sheriffe of S^t Maryes County that he
 cause to come here twelve &c by whom &c and who neither &c to
 recognize &c because as well &c which jurors bring impannelled &
 called came to witt Thomas Cosden, Joseph Tilley, Marmaduke
 Semme Samuel Holdsworth, John King, W^m Husbands, Tho: Sedg-
 wick, Robert Mason, James Lewis, Tho: Alcock, John Bouchier &

Herman Norton, who being elected tryed & sworne to say the truth in the p^rmisses, the said John Davis although solemnly called came not, whereupon a Nonsuite is awarded against him And itt is considered that the said John Davis take nothing by his writt, but be in mercy for his false claime thereupon. And that the said W^m Boyden goe thereof without day And also that the said W^m Boyden recover against the said John Davis the Summe of three thousand one hundred Eighty one pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said W^m may haue thereof Execution &c

Liber W. C.

ffrancis Hill	}	These Eight actions are continued untill next Court
ag ^t		
Mary Tilghman		
John Quigley		
ag ^t		
Marke Cordea		
John Cockes		
ag ^t		
Richard Keene		
Peter Archer		
ag ^t		
W ^m Dare		
The same		
ag ^t		
the same		
Samuel Allen		
ag ^t		
Jn ^o Rawlings &		
Michael Bassey		
Michael Offley		
ag ^t		
John Hyland		
Tho: Jones		
ag ^t	}	
John England		

Philip Siverett	}	Gerard Slye late of S ^t Maryes County Adm ^r of all & singuler the Goods & Chattles of Richard Chillman was Sumoned to answer unto Philip Siverett of a plea that he render unto him Eight thousand pounds of tobacco which from him he unjustly detainies
ag ^t		
Gerard Slye Ad ^r		
Richd Chillman		

p.83

And whereupon the said Philip by Robert Carville his Attorney saith, that whereas the said Richard upon the fifteenth day of ffebru-

Liber W. C. ary in the yeare of our Lord One thousand six hundred Seventy seven, by his certaine bond or Obligation Sealed with the Seale of him the said Richard & here in Court produced whose date is the day & yeare abovesaid, did confesse and acknowledge to be holden & firmly bound unto the said Philip Siverett in the full & just quantity of Eight thousand pounds of good sound & M^cchantable tobacco in caske to be paid to the said Philip or to his certaine Attorney his Ex^{rs} Ad^{rs} or assignes in Smiths Creeke in S^t Maryes County in the Province aforesaid att or before the tenth day of Octob^r then next, being in consideration of Goods received of said Siverett in October last, & was to be paid in Novemb^r last, & being not performed, he bound himselfe his heyres Ex^{rs} & Adm^{rs} firmly by those p^rsents. Yett notwithstanding the said Richard in his life tyme or the said Gerard since his death the said Sum^e of Eight thousand pounds of tobacco to him the said Philip though often thereunto requested hath not paid or satisfied, but the same to pay haue hitherto & still doe deny & refuse to the the damage of the said Philip ten thousand pounds of tobacco, & thereupon he bringeth his suite

And the said Gerard by Christopher Rousby his Attorn[ey] cometh & defendeth the force & injury when &c and prayeth the hearing of the writing obligatory aforesaid & itt is read unto him, he also prayeth the hearing of the Condition of the said writing obligatory & itt is read unto him in these words following—This Obligation is such, that if the above bounden Richard Chillman doe well & truly pay unto the abovesaid Philip Siverett or his assignes the full quantity of foure thousand pounds of good sound M^cchantable tobacco in caske to be paid unto the said Siveret or his assignes in Smiths Creeke in S^t Maryes County aforesaid att or before the tenth day of Octob^r next ensuing the date hereof Then this Obligation is to be Void & of none effect, otherwise to stand in force & Vertue. which being read & heard the said Gerard by his Attorney aforesaid saith, that he the said Philip his action aforesaid against him the said Gerard ought not to haue, because he saith, that as to so much of the Estate which belonged to the said Richard Chillman att the tyme of his death, and which is come to the hands and possession of him the said Gerard, the same is not sufficien[t] to satisfie a certaine debt which was due to the said Gerard from the said Richard att the tyme of his death by bond under hand & Seale of the said Richard duely executed, & as to the residue of the said Estate, to witt certaine debts due to the said Richard, the said Gerard hath com^menced severall actions for the recovery of the same

p. 84 in the Provinciaall Court & County Court of S^t Maryes, which actions are still depending & undetermined And this Defend^t further saith, that there are severall judgm^{ts} for debts upon bonds allready obtained against this Defend^t as Adm^r of Richard Chillman both in the

Provinciall Court & County Court of St Maryes which ought to be paid before the debt above specified All which the said Gerard is ready to averr, & prayes judgem^t if the said Philip his action aforesaid ought to have whereupon day is given to both parties untill next Provinciall Court

Now here att this day to witt the Seaventeenth day of ffebruary in the fifth year of the Dominion of the right Hon^{ble} Charles Lord Baltmore &c Annoq̄ Doni 1679 came the said parties by their Attorneys aforesaid And the said Gerard by his said Attorney saith, that he hath nothing to say in barr or avoidance of the action aforesaid of him the said Philip whereby the said Philip remaineth against the said Gerard thereof wholly undefended Therefore itt is considered that the said Philip Siveret recover against the said Gerard Slye Adm^r as aforesaid as well the Sum^e of Eight thousand p^{ds} of tobacco debt As also Eight hundred Seventy two pounds of tobacco costs of suite And the Defend^t in mercy &

John England	}	} These Eight actions are continued untill next Court
ag ^t		
Tho: Jones	}	
John Penroy		
ag ^t	}	
Robert Mason		
Garrat VSweringen	}	
ag ^t		
Josias ffendall	}	
The same		
ag ^t	}	
W ^m Perfitt		
Abraham Blagg	}	
who as well &c		
ag ^t	}	
Gerard Slye		
Geo: Yate Adm ^r	}	
Robert Wilson		
ag ^t	}	
W ^m Cromwell		
Tho: Parker	}	
ag ^t		
James Clayland	}	
Tho: Carlisle, W ^m		
Watson & al Ex ^{rs}	}	
Cuningham		
ag ^t	}	
John Addison Ex ^r		
Nich: Proddy	}	

Liber W. C. p. 85	W ^m Cole & ux: Ex ^x Mich ^l Rochford ag ^t Gerard Slye Ad ^r Richard Chillman	}	Gerard Slye late of S ^t Maryes County Adm ^r of the Goods and Chattles of Richard Chillman deceased was Sum ^o oned to Answer unto W ^m Cole and Margaret ^t his wife Ex ^x of the last Will & testament of Michael Rochford deceased of a plea that he render unto them the Sum ^e of
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Eight thousand two hundred fifty six pounds of tobacco which from them he unjustly detaines

And whereupon the said W^m & Margaret^t by Robert Carville their Attorney say, that whereas the said Richard Chillman upon the thirtieth day of April in the yeare of our Lord One thousand six hundred Seaventy eight, by his certaine bond or writeing obligatory sealed with the Seale of the said Richard & here in Court produced whose date is the day and yeare abovesaid, did confesse himselfe to be holden & firmly bounden unto the said Michael Rochford in the full & just Sum^e of Eight thousand two hundred fifty six pounds of good sound M^rchantable tobacco & caske to be paid to the said Michael his Ex^{rs} Adm^{rs} or assignes To the which payment well & truely to be made he bound himselfe his heyres Ex^{rs} and Adm^{rs} Yet notwithstanding the said Richard Chillman in his life tyme, nor the said Gerard Slye since his death to whom Adm^{con} of the Goods & Chattles of the said Richard are by the Judge for probate of Wills &c in due manner comitted, the said Sum^e of Eight thousand two hundred fifty six pounds of tobacco to him the said Michael in his life tyme, or to the said Margaret since his death while she was sole, nor to the said William & Margaret^t since their intermarriage though often thereunto requested haue not paid or satisfied, but the same to pay and satisfie haue hitherto denyed & refused And still doe deny & refuse to pay the same, to the damage of the said W^m and Margaret tenn thousand pounds of tobacco & thereupon they bring their suite

And the said Gerard Slye by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and prayeth the hearing of the said writing obligatory & itt is read unto him, he also prayeth the hearing of the Condition of the said writing obligatory & itt is read unto him in these words The Condition of this Obligation is such, that if the aboue bounden Richard Chillman his heyres Ex^{rs} or Adm^{rs} doe pay or cause to be paid unto the said Michael Rochford his heyres Ex^{rs} or Adm^{rs} the just & full Sum^e of foure thousand One hundred twenty & eight pounds of good sound & M^rchantable tobacco in caske att or before the tenth day of Octob^r next ensuing in some convenient place in S^t Maryes river without fraud coven or deceipt, that then this p^rsent Obligation to be void & of none effect, or otherwise the same to remaine in full force & Vertue, which being read & heard, the said Gerard by his Attorney aforesaid saith, that they the said W^m & Margaret^t their action aforesaid against him the said Gerard ought not to haue, because

he saith, that as to so much of the Estate which belonged to the said Richard Chillman att the tyme of his death, & which is come to the hands & possession of him the said Gerard, the same is not sufficient to satisfy a certaine debt which was due to the said Gerard from the said Richard att the tyme of his death by bond under hand And Seale of the said Richard duely executed, & As to the residue of the said Estate to witt certaine debts due to the said Richard, the said Gerard hath comēced severall actions the recovery of the same in the Provintiall Court & County Court of S^t Maryes, which actions are still depending & undetermined And this Defend^t further saith, that there are severall judgm^{ts} for debts upon bonds allready obtained against this Defend^t as Adm^r of Richard Chillman both in the Provintiall & County Court of S^t Maryes which ought to be paid before the debt above specified, all which the said Gerard is ready to averr, & prayes judgm^t if the said W^m & Margarett their action aforesaid ought to haue, whereupon day is given to both parties untill next Provintiall Court

Liber W. C.

p. 86

Now here att this day to witt the Seventeenth day of ffebruary in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltimore &c Annoq; Dni 1679 came the said parties of their Attorneys aforesaid, And the said Gerard by his said Attorney saith, that he hath nothing to say in barr or avoidance of the action aforesaid of them the said W^m & Margarett, whereby the said W^m & Margarett remaine against the said Gerard thereof wholly undefended Therefore itt is considered that the said W^m Cole & Margarett his wife Ex^x as aforesaid recover against the said Gerard Slye Adm^r as aforesaid as well the Summe of Eight thousand two hundred fifty six pounds of tobacco debt As also Eight hundred Seventy two pounds of tobacco costs of suite And the Defend^t in mercy &c

Marke Hanking	}	These three actions are agreed
ag ^t		
Edward Gunnell		
James Thompson		
ag ^t		
John Welsh		
Robert Strong	}	
ag ^t		
Tho: Mudd		

Arthur Sawyer	}	Unlesse the Defend ^t appeare next Court the Sher- iffe of Som ^r sett County amerced
ag ^t		
Edward Gibbs		

Robert Carvile	}	Unlesse the Defend ^t appeare next Court the Sher- iffe of S ^t Maryes County amerced
ag ^t		
Tho: Potter		

Liber W. C.	John Peirce Ex ^r	}	Unlesse the Defend ^{ts} appeare next Court, the Sheriffe of Calvert County amerced
	John Peirce		
	ag ^t		
	Tho: Gant		
	Mary Browne		
	ag ^t	}	
	Tho: Kemp		

p. 87 W^m Dare Adm^r } John Richardson late of Talbot County otherwise
 John Parker } called John Richardson of Talbot County planter
 ag^t } was Sumoned to Answer unto W^m Dare Adm^r of
 John Richardson } all & singuler the Goods Chattles rights & Creditts
 which were of John Parker deceased of a plea
 that he render unto him the neat quantity of ffourteene thousand
 twenty & nine pounds of good sound M^rchantable tobacco & caske
 w^{ch} from him he unjustly detaineth

And whereupon the said W^m Dare by Robert Ridgely his Attorney saith, that whereas the said John Richardson the twentieth day of June one thousand six hundred & Seventy by his certaine bill obligatory sealed with the Seale of him the said John Richardson & here in Court produced whose date is the day & yeare aforesaid, did binde himselfe his heyres Ex^{rs} Adm^{rs} & assignes to pay or cause well & truely to be paid unto the said John Parker English M^rchant his heyres Ex^{rs} Adm^{rs} or assignes the neat quantity of ffourteene thousand twenty & nine pounds of good sound M^rchantable tobacco & caske without ground leaves or seconds according to Act of Assembly, paym^t thereof to be made att some convenient place in Talbot County att or before the tenth day of Octob^r next ensuing the date of the same bill Obligatory. Yet the aforesaid John Richardson the said Sum^e of ffourteen thousand twenty nine pounds of tobbaeco to him the said John Parker in his life tyme, nor to the said W^m since his death to whom Adm^{con} of all & singuler the Goods Chattles & Creditts which were of the said John Parker in his life tyme since his death hath bin comitted according to the tenour of the said bill obligatory although often thereunto required hath not paid, but the same to pay hath denyed & as yet doth deny in retardacōn of the Adm^{con} of the Goods & Chattles of the said John Park[er] & to the damage of the said W^m Dare twenty thousand pounds of tobacco & thereupon he bringeth his suite. And the aforesaid W^m Dare bringeth into Court here the Letters of Adm^{con} to him granted of the Estate of the said John Parker that itt may appeare to the Court here that he thereof hath the Administration

And the said John Richardson by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and prayeth

liberty to imparle hereunto untill next Prov^l Court & itt is granted Liber W. C.
unto him, the same day is given to the p^t also

Att which said next Provintiall Court to witt the nineteenth day of ffebruary in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Doni 1679 came the said parties by their Attorneys aforesaid And the said John Richardson by his said Attorney saith, that he the said William his action aforesaid against him the said John Richardson ought not to haue, because he saith, that before the suing out the originall writt of this action to witt the twenty third day of March one thousand six hundred seventy one in Talbot County aforesaid he the said John Richardson and the said John Parker haveing then & there comūication betwixt them as well of & concerning the paym^t of the said debt of foureteene thousand twenty nine pounds of tobacco for which the said John Richardson stood engaged by the said bill as aforesaid As also concerning several debts & Accompts Which the said John Parker stood engaged in to him the said John Richardson. p. 88
Itt was then & there agreed between them the said parties That whereas the said John Richardson had delivered to one John Webster for the use of the said John Parker Eighteene head of hogges, to witt ten breeding sowes & eight large shoates or young barrowes, for which the said John Parker was to pay unto the said John Richardson the sume of foure thousand pounds of tobacco, the same foure thousand pounds of tobacco should be allowed by discount for part of pay of the said debt of ffourteene thousand twenty nine pounds of tobacco Also itt was further agreed by the said parties, that whereas the said John Parker did then by specialty stand engaged unto the said John Richardson the Sume of five thousand one hundred & fifty pounds of tobacco, that he the said John Parker should also discount so much tobacco Viz^t five thousand one hundred & fifty pounds of tobacco out of the said debt of ffourteene thousand twenty nine pounds of tobacco And should allowe of the same to the said John Richardson as further part of pay of the said debt of ffourteene thousand twenty nine pounds of tobacco And also itt was then & there further agreed, that whereas the said John Parker was indebted unto the said John Richardson upon accompt for accomodacōns att the house & Ordinary of the said John Richardson the sume of One thousand seven hundred Seventy one pounds of tobacco the same should also be accepted & taken by the said John Parker as part of satisfaction of the said debt of ffourteene thousand twenty nine pounds of tobacco as aforesaid from the said John Richardson And also whereas the said John Parker had received two bills from the said John Richardson to receiue the tobacco due thereupon for Richardsons use, upon one whereof was due to the said Jn^o Richardson from one Richard Baily the Sume of nine hundred and seven pounds of tobacco And

Liber W. C. upon the other from one W^m King the Sum^e of twelve hundred pounds of tobacco the said John Parker did agree that the said Sum^es should likewise goe in further satisfaction of the said debt of ffourteen thousand twenty nine pounds of tobacco which said Sum^es amount together to thirteen thousand twenty eight pounds of tobacco And for the residue of the said Sum^e of ffourteen thousand twenty nine pounds of tobacco being the sum^e of one thousand & one pounds of tobacco the said John Richardson saith that he alwayes was & still is ready to pay the same All which he is ready to averr, & therefore prayes judgm^t if the said W^m Dare his action aforesaid against him ought to haue.

And the said p^t saith, that he by any thing before alleadged ought not to be debarred from haueing his action aforesaid, because he saith, that the said Defend^t the said Sum^e of ffourteene thousand twenty nine pounds of tobacco to the said Parker in his life tyme, nor to the said p^t since his decease (to whom Adm^{con} of all & singuler the Goods Chattles & Creditts which were of the said Parker since his death hath bin comitted) hath not paid according to the tenour of the said bill obligatory And this he is ready to averr, whereupon he demands judgm^t & the said debt aforesaid together with damages for detaining the said debt to be adjudged unto him

p. 89 And the said Defend^t saith, that he hath paid the said severall Sum^es of tobacco mencōned in his said plea, amounting to thirteen thousand twenty eight pounds of tobacco in part of the said bill of ffourteen thousand twenty nine pounds of tobacco in manner & forme as the same is affirmed in his said plea, And as to the remainder of the said ffourteene thousand twenty nine pounds of tobacco viz^t the Sum^e of One thousand & one pounds of tobacco, the Defend^t saith as form^{ly} that he alwayes wayes & still is ready to pay the same And of this he putts himselfe upon the Countrey And the plaintiffe likewise Therefore itt is comanded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c

Att which said nineteenth day of ffebruary in the yeare aforesaid came the said parties by their Attorneys aforesaid, & the jurors impannelled being called likewise came to witt Thomas Cosden, Joseph Tilley, Marmaduke Semme, Samuell Holdsworth, John King, W^m Husbands, Tho: Sedgwick, Robert Mason, Tho: Jones, Tho: Alcock, John Bouchier & Herman Norton who being elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say, that they finde for the Defend^t Therefore itt is considered that the said W^m Dare take nothing by his writt aforesaid, but be in mercy for his false plaint thereon And the said John Richardson may go from thence without day &

John Quigley	} John Anderson late of Som ^r sett County Lawyer	Liber W. C.
ag ^t		
John Anderson		

} was Attached to Answer unto John Quigley gent^l
 of a plea of trespas upon the case

And whereupon the said John Quigley by Robert Ridgely his Attorney complaineth, that whereas the said John Anderson the fifth day of May one thousand six hundred Seventy eight being possessed of a certaine sloop of his own proper goods wherewith he was used & accustomed to carry & transport for divers & sundry persons any Goods & M^rchandizes they would load on board him to such place or places as they should appoint, for such reasonable hire as the transportacō & carryage of the same were or should be worth. The said John Anderson being with his said Sloop in Potomocke river in this Province & within the jurisdiction of this Court the day & yeare abovesaid, & haveing on board the said Sloop a certaine pipe of fyall wine marked JQ, & brought in the said Sloop for the said John Quigley from Petuxent river in the said Province of the Value of two thousand five hundred pounds of tobacco, the said John Quigley did order & appoint the said John Anderson to putt the same pipe of wine on shoare att the Citty of S^t Maryes, & the same deliver att the said Citty to the hands of John Blomfield att S^t Maryes for the use of the said John Quigley. And for the labour & paines of the said John & the hire of his Sloop the said John Quigley did agree with the said John Anderson to content & pay him what he for the same should reasonably deserve In consideration whereof he the said John Anderson upon himselfe did assume & to the said John Quigley did faithfully promise to deliver the same pipe of wine in good condition to the said John Blomfield att S^t Maryes aforesaid for the use of the said John Quigley so soon as he could with winde & weather permitting p. 90 saile with his said Sloop to the said Citty of S^t Maryes And the said John Quigley in fact saith, that the said John Anderson did arrive with the said Sloop att the Citty of S^t Maryes the twelfth day of May then next following. Yet the aforesaid John Anderson his promise & assumption so as aforesaid made not regarding, but deviseing & fraudulently intending him the said John Quigley of the said pipe of fyall wine to deceive & defraud, the said pipe of fyall wine to the said John Blomfield att the said Citty of S^t Maryes for the use of the said John Quigley according to his promise hath not delivered, but the same to his owne use hath converted, to the damage of the said John Quigley foure thousand pounds of tobacco & thereupon he brings his suite

And whereupon the said John Anderson by Christopher Rousby his Attorney comes & defends the force & injury when &c and prays liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the pth also

Att which said next Provintiall Court to witt the seaventeenth day

Liber W. C. of february in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq Doni 1679 came the said parties by their Attorneys aforesaid And the said John Anderson by his said Attorney saith, that he the said John Quigley his action aforesaid against him the said John Anderson ought not to haue, because he saith that he the said John Anderson did not assume & to the said John Quigley faithfully promise in manner & forme as the said p^t in his said declaration hath supposed And of this he putts himselfe upon the Countrey And the said p^t likewise Therefore itt is commanded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c On which said seaventeenth day of february in the yeare aforesaid came the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Thomas Cosden, Joseph Tilley, Marmaduke Semme, Sam^l Holdsworth John King, W^m Husbands, Tho: Sedgwick, Robert Mason, W^m Harris, Tho: Alcock, John Bouchier & Herman Norton who being Elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say, that the said John Anderson did not assume & promise in manner & forme as the said p^t in his declaration hath supposed Therefore itt is considered that the said John Quigley take nothing by his writt but he in mercy for his false plaint thereon And the said John Anderson may goe from thence without day And also that the said John Anderson may recover against the said John Quigley the Summe of One thousand Eight hundred Eighty five pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said John Anderson may have thereof Execution &c

Richard Draper	}	This action abates, the Defend ^t being dead
ag ^t		
W ^m Crosse		

Tho: Tasker	}	This action in Ejectm ^t is continued untill next Court
ag ^t		
Tho: Medley		

p. 91 John Machen	}	The jurors findeing for the Defend ^t in this cause, the p ^t by George Parker his Attorney moved in Arrest of judgm ^t whereupon day is giuen to both parties untill next Provintiall Court
ag ^t		
W ^m Chandler		

Benj ^a Lawrence	}	Edward Pindar late of Dorchester County planter Adm ^r of the goods & Chattles of W ^m ffoorde deceased was Attached to Answer unto Benj ^a Lawrence in a plea of trespas upon the case
ag ^t		
Edw ^d Pindar Ad ^r		
W ^m ffoorde		

And the said Edward by Robert Ridgely his Attorney cometh and defendeth the force & injury when &c And the said Benjamin Lawrence although solemnly called came not to p^rferre his declaration and prosecute his writt against the said Edward Pindar in the plea aforesaid Therefore itt is considered by the Court this day to witt the Seventeenth day of ffebruary in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Doni 1679 that the said Benjamin Lawrence take nothing by his writt, but be in mercy for his false clayme And the said Edward may go thereof without day And also that the said Edw^d Pindar may recover against the said Benj^a Lawrence the su^me of Eight hundred & twenty pounds of tobacco for his costs and charges by him about his defence in this behalfe laid out & expended And the said Edward may have thereof Execution &c

Gosfrights Ex^{rs} } John Atkey late of Calvert County planter was
ag^t } Attached to answer unto Richard Marsham &
John Atkey } George Lingham Ex^{rs} of the last will & testament
of Charles Gosfright deceased in a plea of trespass
upon the case

And whereupon the said Richard & George by Christopher Rousby their Attorney complaine, that whereas the said John Atkey att Battle Creeke in Calvert County the Seventeenth day of January one thousand six hundred Seventy six in consideracon that he the said Charles Gosfright att severall dayes & tymes from the third day of Octob^r in the yeare of our Lord One thousand six hundred Seventy six untill the said Seventeenth day of January in the yeare aforesaid att the speall instance & request of him the said John, had bargained sould and delivered unto him the said John divers Goods & M^rchandizes that is to say part of the same Goods & M^rchandize were deliu^ed to the hands of him the said John, & the residue were att the request aforesaid of him the said John deliuered unto Jan[e] Todd & Robert Evans a particular of which said severall goods & M^rchandizes is here in Court produced amounting together in the whole by the prices & Values thereof unto the Sum^e of Six thousand pounds of tobacco, did assume upon himselfe & to the said Charles did faithfully promise, that he the said John the said Six thousand pounds of tobacco unto him the said Charles when he should be thereunto required would well and truly content & pay And although the said John Atkey hath paid unto him the said Charles in his life tyme two thousand Eighty six pounds of tobacco in part of the said Sum^e of Six thousand pounds of tobacco Yet as to three thousand nine hundred & fourteene pounds of tobacco the remainder of the said Sum^e of six thousand pounds of tobacco, the said John Atkey unto the said Charles Gosfright in his life tyme, or unto them the said Richard & George Ex^{ts}

Liber W. C. of the last Will and testam^t of the said Charles since his death though often thereunto required hath not paid, but the same three thousand nine hundred & fourteene pounds of tobacco to pay hath refused & still doth refuse in hinderance of the Execution of the
 p. 92 Last Will & testam^t aforesaid, whereupon they say they are the worse & haue losse to the Value of Eight thousand p^ds of tobacco, & thereupon they bring their Suite. And the said Richard & George bring here into Court their Letters testamentory whereby itt may appeare to the Court here that they are Ex^{rs} as aforesaid & right haue of Adm^{con}.

And the said John Atkey by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court, & itt is granted unto him, the same day is giuen to the p^{ts} also.

Now here att this day to witt the thirteenth day of ffebruary in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltimore &c Annoq³ Doni 1679 came the said parties by their Attorneys aforesaid And the said John Atkey by his said Attorney saith, that the said p^{ts} this action aforesaid against him ought not to haue, because he saith that the said Sum^e of three thousand nine hundred & fourteen p^ds of tobacco he the said John Atkey according to his pmise hath paid & Satisfied, & this he is ready to averre, & thereupon demands judgm^t if the said p^{ts} their action aforesaid against him ought to haue. And the said Richard & George say, that the said John the said Sum^e of three thousand nine hundred & fourteen pounds of tobacco according to his promise & assumption above mencōned hath not paid And this they desire may be enquired of by the Countrey And the said Defend^t likewise Therefore itt is Comanded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c

On which said thirteenth day of ffebruary in the yeare aforesaid came the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Thomas Cosden, George Godfrey, Joseph Tilley, W^m Thomas, Marmaduke Semme, Samuell Holdsworth, John King, James Lewis, Tho: Sedgwick, George Holland, Robert Mason & ffrancis Corbett, who being Elected tryed & Sworne to say the truth in the p^misses upon their Oathes doe say, that the said John Atkey the said Sum^e of three thousand nine hundred & fourteene pounds of tobacco according to his promise & assumption above mencōned hath not paid And they assesse the damage of the said p^{ts} to three thousand nine hundred & fourteen pounds of tobacco Therefore itt is considered that the said Richard Marsham & Geo: Lingham Ex^{rs} as aforesaid recover against the said John Atkey the aforesaid Sum^e of three thousand nine hundred & fourteene pounds of tobacco damages by the jurors afore-

said in forme aforesaid assessed As also One thousand thirty two pounds of tobacco costs of suite And the Defend^t in mercy &c Liber W.C.

Edward Pynn	}	The Defend ^{ts} by Robert Carvile their Attorney appeare & imparle untill next yeare
ag ^t		
Jonathan Sibrey		
Robert Ridgely		
ag ^t		
Richard Royston	}	

James Mills	}	George Wells Ex ^r of the last Will & testam ^t of James Ives deceased was Attached to Answer unto James Mills of a plea of trespas upon the case	p. 93
ag ^t			
Geo: Wells Ex ^r			
James Ives			

And whereupon the said James Mills by Robert Ridgely his Attorney complaineth, that whereas the said James Ives in the life tyme of the said James to witt between the twenty sixth day of March in the yeare of our Lord One thousand six hundred Seventy seven & the Sixteenth day of Octob^r One thousand six hundred Seventy eight bought had & receiued of him the said James Mills diuers goods & Comodities, and the said James Mills paid & disbursed for the said James Ives to divers & sundry persons by the order & appointm^t of the said Ives divers & sundry sumes of tobacco, which said goods so sould & deliuered & tobacco so paid amount to in the whole the Summe of ten thousand six hundred thirty three pounds of tobacco, a particuler whereof is here in Court pduced In consideration whereof the said James Ives did assume upon him-selfe & to the said James Mills in his life tyme did faithfully promise that he the said James Ives the said James Mills the said Summe of tenn thousand six hundred thirty and three pounds of tobacco would well & truely content & pay when thereunto required And although the said James in his life tyme, the said James Mills the summe of six thousand seven hundred forty & six pounds of tobacco part of the said tenn thousand six hundred thirty three pounds of tobacco to him paid, yet three thousand eight hundred eighty seven pounds of tobacco residue of the said tenn thousand six hundred thirty three pounds of tobacco the said James Ives in his life tyme nor the said George Wells Ex^r of the last Will & testament of the said James Ives since his death although often thereunto required to him the said James Mills haue not paid, but the same to pay hath denyed & as yet doth deny to the damage of the said James Mills fieve thousand pounds of tobacco & thereupon he bringeth his suite

And the said George Wells by George Parker his Attorney doth come & defend the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is giuen to the pⁿ also

Now here att this day to witt the Eighteenth day of ffebruary

Liber W. C. in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq̄ Doni 1679 came the said parties by their Attorneys aforesaid And the said George Wells by his said Attorney saith, that the aforesaid James Mills ought not to haue his action aforesaid against him because he saith he is not Ex^r of the last Will & testam^t of James Ives deceased, as the aforesaid James Mills by his writt aforesaid supposeth, & this he is ready to verifie, whereupon he prayeth judgem^t of that writt &c. An the said James saith, that he by any thing above alleadged from haueing his action aforesaid ought not to be debarred, because he saith that the said George Wells is Ex^r of his owne wrong of the same James Ives deceased, & divers Goods & Chattles which were of the said James Ives att the tyme of his death did Administer & dispose to the Value of the
 p. 94 debt aforesaid, out of which The said pⁿ his debt aforesaid might have bin satisfied And this he prayeth may be enquired of by the Countrey, And the Defend^t also. Therefore itt is comanded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by Whom &c and who neither &c to recognize &c because as well &c

On which said Eighteenth day of ffebruary in the yeare aforesaid. came as well the said pⁿ as the said Defend^t by their Attorneys aforesaid And the jurors impannelled, being called likewise came to witt, Tho: Cosden, Joseph Tilley, Marmaduke Semme, Sam^l Holdsworth John King, W^m Husbands, Tho: Sedgwick, Rob^t Mason, W^m Harris, Tho: Alcock, John Bouchier & Herman Norton who being Elected tryed & Sworne to say the truth in the p^misses upon their Oathes doe say that the said George Wells is Ex^r in of his owne wrong of the said James Ives Therefore itt is considered that the said James Mills recover against the said George Wells his damāges by occasion of the p^misses, but because itt is not knowne what damāges the said James hath sustained by occasion thereof. Itt is therefore ordered that a writt of Enquiry of damāges issue, returnable att the next Provintiall Court

John Richardson	}
ag ^t	
W ^m Dare Adm ^r	
John Parker	}
The Same	
ag ^t	}
the same	
The same	}
ag ^t	
The same	}
W ^m Burges	
ag ^t	}
Richard Hill	

The Defend^{ts} by Robert Ridgely their Attorney
 appeare & imparle untill next Court

Robert Doyne }
 ag^t }
 W^m Wright }
 John Bouchier }
 ag^t }
 John Hartwell }
 John Lemare }
 ag^t }
 George Godfrey }

George Parker }
 ag^t } The Defend^t by Thomas Bland his Attorney ap-
 Joseph Tilley } peares & imparles untill next Court.

Richard Bailey } John Atkey late of Calvert County otherwise called p. 95
 ag^t } John Atkey of Calvert County Planter was Sum-
 John Atkey } moned to answer unto Richard Bailey of a plea that
 he render unto him ffoure thousand fivie hundred
 pounds of tobacco which to him he oweth and unjustly detaineth

And whereupon the said Richard Bailey by Robert Carville his
 Attorney saith, that whereas the said John Atkey upon the twenty
 sixth day of ffebruary in the year of our Lord 167⁸ by his certaine
 bill or writing obligatory sealed with the Seale of him the said John
 & here in Court produced whose date is the day & yeare abovesaid,
 did binde himselfe his heyres Ex^{ts} or Adm^{rs} to pay or cause to be
 paid to the said Richard the full & just sume of ffoure thousand fivie
 hundred pounds of good sound M^cchantable tobacco & caske to be
 paid convenient on the Clifts in Calvert County att or before the
 tenth day of Novemb^r next ensuing the date of the said bill Yett
 notwithstanding the said John Atkey the said Sume of foure thou-
 sand fivie hundred pounds of tobacco to him the said Richard ac-
 cording to the tenour of the said bill though often thereunto re-
 requested hath not paid or satisfied but the same to pay & satisfie hath
 hitherto denyed & still doth deny to pay the same, to the damage of
 the said Richard Eight thousand pounds of tobacco, & thereupon he
 bringeth his suite

And the said John Atkey by Robert Ridgely his Attorney com-
 eth & defendeth the force & injury when &c and prayeth liberty to
 imparle hereunto untill next Prov^l Court & itt is granted unto him,
 the same day is given to the pth also

Now here att this day to witt the thirteenth day of ffebruary in
 the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord
 Baltimore &c Annoq³ Doni 1679 came the said parties by their
 Attorneys aforesaid And the said John Atkey by his said Attorney
 saith that the said Richard his action aforesaid against him ought
 not to haue because he saith, that he the said John Atkey him the
 said Richard the said Sume of foure thousand fivie hundred pounds

Liber W. C. of tobacco in the said declaration specified according to the tenour of the said writeing obligatory did pay, & this he is ready to averre, & thereupon demands judgm^t if the said p^r his action aforesaid against him ought to haue And the p^r also. And thereupon the p^rmisses being seen and by the Justices here fully understood And itt not being made appeare to the Court here that the said John Atkey hath paid unto him the said Richard Bailey the aforesaid sume of foure thousand five hundred pounds of tobacco in the said declaration specified according to the tenour of the said writing obligatory Therefore itt is considered, that the said Richard Bailey recover against the said John Atkey as well the aforesaid Sume of foure thousand five hundred pounds of tobacco debt As also One thousand thirty & eight pounds of tobacco costs of suite And the Defend^t in mercy &c

p. 96 Eliz^a Potter who } Thomas Doxey & Ann his wife Attached to
as well &c } Answer unto Elizabeth Green a^{ls} Potter who as
ag^t } well for the right Hon^{ble} the Lord Prop^{ry} as for
Tho: Doxey & ux: } her selfe in this behalfe prosecuteth of a plea of
trespas of the case

And whereupon the said Elizabeth Greene a^{ls} Potter who as well for the right Hon^{ble} the Lord Prop^{ry} as for her selfe prosecuteth, complaineth & giueth the Court here to understand & be informed. That whereas by a certaine Act of Assembly made att a Gennⁿ Assembly begun & held att the Citty of S^t Maryes the sixteenth day of May One thousand six hundred Seventy six entituled an Act touching servants, which said Act remaines still in force, itt was amongst other things thereby ordained & Enacted, that no person or persons whatsoever should trade barter commerce or game with any Servant (except hired Servants) within this Province without lycence first had & obtained from his or her Master Mistris Dame or Overseer under the penalty of two thousand pounds of tobacco to be paid the one halfe to the Lord Prop^{ry} & the other halfe to the Master of such servant or true Owner of such goods so purloined gamed and bartered for when proved by sufficient wittnesses or confession of the party, to be recovered by action of debt bill plaint or Information, wherein no Essoyne Protection or wager of Law to be allowed As by the said Act relation being thereunto had may more att large appeare Yett the said Ann Doxey the said Act nor the penalties therein contained not regarding, she the said Ann Doxey upon the ninth day of April one thousand six hundred Seventy nine & att severall other dayes & tymes from the first day of April to the ninth day of April aforesaid did trade barter & commerce with one Isabell Gayton since deceased then Servant to the said Elizabeth Green a^{ls} Potter for divers wearing apparrell several head linnen & other linnen & a black hood to the Value of

pounds of tobacco And for severall Sumes of money amounting to the same of about thirty shillings sterl being the proper Goods & Chattles of the said Elizabeth Green aſs Potter and from her by the said Isabell Gayton stollen and purloyned contrary to the said Act, whereby the said Thomas Doxey & Ann his wife haue forfeited the said Sume of two thousand pounds, whereupon the said Elizabeth Green aſs Potter who as well for the Lord Prop^{ry} as for her selfe prayeth the moiety thereof to her to be adjudged, & thereupon bringeth this suite Liber W. C.

And the said Thomas Doxey & Ann his wife by Robert Ridgely their Attorney come & defend the force & injury when &c and pray liberty to imparle hereunto untill next Provintiall Court, & itt is granted unto them, the same day is giuen to the pⁿ also

Now here att this day to witt the Seventeenth day of ffebruary in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltimore &c Annoc³ Doni 1679 came the same parties by their Attorneys aforesaid And the said Thomas & Ann by their said Attorney say, that the said Ann Doxey is in no wise guilty of the p^rmisses Above by the said pⁿ imposed upon her in manner & forme as the said pⁿ above against them hath complained, & of this they putt themselves upon the Countrey And the pⁿ also Therefore itt is comāded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c & who neither &c to recognize &c because as well &c p. 97

On which said Seventeenth day of ffebruary in the yeare aforesaid come the said parties by their Attorny aforesaid And the jurors impannelled being called likewise came to witt Tho: Cosden, Joseph Tilley, Marmaduke Semme, Samuel Holdsworth, John King, W^m Husbands, Tho: Sedgwick, Robert Mason, W^m Harris, Tho: Alcock, John Bouchier and Herman Norton, who being elected tryed & sworne to say the truth in the p^rmisses upon their Oathes doe say that the said Ann Doxey is not guilty of the p^rmisses aboue by the said Elizabeth imposed upon her Therefore itt is considered that the said Elizabeth take nothing by her writt, but be in mercy for her false plaint thereupon And the said Thomas & Ann may goe thereof without day And also that the said Tho: Doxey & Ann his wife recover against the said Elizabeth Green aſs Potter the sume of pounds of tobacco for their costs & charges by them about their defence in this behalfe laid out & expended And that the said Elizabeth be taken &c

John Bawdon } John Quigley late of S^t Maryes County otherwise
ag^t } called John Quigley of Maryland Merchant was
John Quigley } Sumoned to Answer unto John Bawdon of London
M^rchant of a plea that he render unto him the sume
of nine hundred pounds sterl good & lawfull money currant of Eng-
land which to him he oweth & unjustly detaineth

Liber W. C. And whereupon the said John Bawdon by Robert Carville his Attorney saith, that whereas the said John Quigley upon the twelfth day of february in the yeare of our Lord God one thousand six hundred seventy & seven, by his certaine bond or writing obligatory sealed with the seale of him the said John Quigley & here in Court produced whose date is the day & yeare above said, did acknowledge himselfe to be holden & firmly bound unto the said John Bawdon in the Summe of nine hundred p^ds sterl good & lawfull money currant of England to be paid unto the said John Bawdon his Ex^{rs} or Adm^{rs} att his & their will & pleasure, To the which paym^t well & truely to be made he did binde himselfe his heyres Ex^{rs} & Adm^{rs} unto the said John Bawdon his Ex^{rs} & Adm^{rs} firmly by those p^sents, Yet notwithstanding the said John Quigley the said Summe of nine hundred pounds sterl to him the said John Bawdon according to the said bond or writeing obligatory though often thereunto requested hath not paid or satisfied, but the same to pay & satisfie hath hitherto denyed & refused, & still doth deny to pay the same, to the damage of the said John Bawdon ffifteene hundred pounds sterl And thereupon he bringeth his suite

And the said John Quigley by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth the hearing of the said writeing obligatory & itt is read unto him, he prayeth also the hearing of the Condition of the said writing obligatory & itt is read unto him in these words. The condicōn of the above
 p. 98 written obligation is such, that if the above bound John Quigley his heyres Ex^{rs} or Adm^{rs} doe & shall att or before the twelfth day of Octobr next ensuing the date of the above Obligation well & truely pay or cause to be paid unto the said John Bawdon his Ex^{rs} or Adm^{rs} the just & full summe of foure hundred & fifty pounds sterl currant & lawfull money of England being for the passage or transportation of ninety servants for the supplies of Virginia & Maryland from the port of Waterford in Ireland in the good Shipp called the S^t George of London att the rate of ffive pounds each Servant att one whole & entire paym^t That then the above written Obligation to be Void & of none effect, otherwise to stand & abide in full force strength and Vertue in Lawe, which being read & heard the said John Quigley by his Attorney aforesaid prayeth liberty to imparle hereunto untill next Provintiall Court, & itt is granted unto him, the same day is given to the p^t also

At which said next Provintiall Court to witt the ffourteenth day of february in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Doni 1679 came, y^e said parties by their Attorneys aforesaid And the said John Quigley by his said Attorney saith, that he hath nothing to say in barr or avoidance of the action aforesaid of him the said John Bawdon, whereby the said John Bawdon remaineth against the said John Quigley thereof wholly undefended Therefore itt is considered that the said John

Bawdon recover against the said John Quigley as well the aforesaid Sume of Nine hundred pounds sterl good & lawfull money of England debt As also Seven hundred ninety two pounds of tobacco costs of suite And the Defend^t in mercy &c

Liber W. C.

And the said John Quigley here p^rsent in Court, att the request of Robert Carville Attorney for the p^t is by the Justices of this Court comitted to the custody of Major W^m Boarman high Sheriffe of the County of S^t Maryes in Execution for the said nine hundred pounds sterl debt And the said Seven hundred ninety two pounds of tobacco costs of suite, there to remaine in safe & secure custody untill he shall pay & satisfie unto the said Jn^o Bawdon the debt & costs aforesaid And thereupon the said John Quigley is taken into custody in open Court by the Sheriffe of the County aforesaid according to the abouesaid Committment

John Peirce Ex ^r	}	The Defend ^{ts} by Robert Carville their Attorney appeare & imparle untill next Court
John Peirce		
ag ^t		
Tho: Hedge		
John Beamont		
ag ^t		
W ^m Burges & al		

Ken ^m Cheseldyn	}	Unlesse the Defend ^t appeare next Court, the Sher- iffe of Ann Arundell County amerced
ag ^t		
Henry Sewall		

Robert Carville	}	Unlesse the Defend ^t appeare next Court, the Sheriffe of Charles County amerced.
ag ^t		
Robert Thompson		

John Barnes	}	Marke Cordea late of S ^t Maryes County was At- tached to answer unto John Barnes in a plea of	p. 99
ag ^t			
Marke Cordea		trespas upon the case	

And whereupon the said John by Kenelm Cheseldyn his Attorney complaineth, that whereas he the said John Barnes the last day of October in the yeare of our Lord one thousand six hundred Seventy seven was possessed of one horse colt of about two yeares old of a Chesnutt colour marked in the left eare with an over halfe as of his proper colt, And soe being thereof possessed the said Colt out of his possession casually lost, which said horse Colt afterwards to witt the twentieth day of ffebruary in the said yeare of our Lord one thousand six hundred Seventy seven to the hands & possession of the said Marke by findeing came Notwithstanding which the said Marke knowing the said Colt to be the proper Colt of him the said John Barnes, & of right to belong & appertaine, meaning & intending him the said John of the same to deceive &

Liber W. C. defraud the said Colt though often thereunto required to him the said John hath not delivered, but the said Colt afterwards to witt the tenth day of March in the yeare aforesaid did dispose & convert to his own use, whereupon the said John saith he is damnified & hath damage to the Value of three thousand pounds of tobacco & thereupon he bringeth his suite

And the said Marke Cordea by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Proventiall Court & itt is granted unto him, the same day is given to the pth also

Att which said next Provintiall Court to witt the Seventeenth day of ffebruary in the fifth yeare of the Domin of the right Hon^{ble} Charles Lord Baltemore &c Annoq; Doni 1679 came the said parties by their Attorneys aforesaid And the said Marke Cordea by his said Attorney saith, that the said John Barnes his action aforesaid against him for the Colt aforesaid ought not to have, because he saith that the said Colt is the proper Colt of him the said Defend^t & to him doth of right appertaine And therefore the said Defend^t the keeping the said Colt, & converting & disposing thereof to his own use, he doth justifie that the same he might lawfully doe, & this he is ready to averr, & therefore demands judgm^t if the said pth his action aforesaid against him ought to hear And the said John saith, that the said Colt is not the proper Colt of him the said Marke, & of this he putts himselfe upon the Countrey. And the said Defend^t likewise Therefore itt is comanded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c & who neither &c to recognize &c because as well &c.

On which said Seventeenth day of June in the year aforesaid came the said parties by their Attorneys aforesaid And the jurors impanelled being called likewise came to witt Robert Ellys, W^m Thomas, Henry Exon, James Veitch, Tho: Beale, Samuells Dobson, W^m Boyden, Bernard Johnson, Tho: Allanson; Edw^d Sise, Gilbert Turberfield & John Richardson who being elected tryed & sworne to say the truth in the p^misses upon their Oath doe say that the Colt aforesaid is not the proper Colt of the said Marke Cordea, but the
 p. 100 proper Colt of him the said John Barnes, Therefore itt is considered that the said John Barnes recover against the said Marke Cordea the horse Colt aforesaid As also Two thousand three hundred thirty ffoure pounds of tobacco costs of suite And the Defend^t in mercy &c

Samuells Heron	} William Cole & Margaret his wife Ex ^x of the last Will & testam ^t of Michael Rochford deceased were Sum ^o oned to answer unto Samuells Heron Mich ^l Rochford M ^c chant of a plea that they render unto him one hundred p ^{ds} of good & lawfull money of England which from him they unjustly detaine
ag ^t	
W ^m Cole & ux: Ex ^x	
Mich ^l Rochford	

And whereupon the said Samuell Heron by Christopher Rousby Liber W. C.
his Attorney saith, that whereas the said Michael Rochford the
twenty second day of Septemb^r Anno Domini one thousand six
hundred seventy seven, by his certaine writeing obligatory Sealed
with the Seale of him the said Michael here in Court produced,
whose date is the same day & yeare above mencōned, did acknowl-
edge himselfe to be holden & firmly bound unto Samuel Heron of
the City of London Merchant in the Summe of One hundred pounds
of good & lawfull money of England, to be paid unto the said
Samuell Heron or to his certaine Attorney his Ex^{ts} or Adm^{ts} To
which paym^t well & truly to be made, he the said Michael Rochford
did binde himselfe his heyres Ex^{ts} & Adm^{ts} firmly by those p^rsents.
Neverthesse the said Michael Rochford in his life tyme, or the
said Margaret Ex^x of the last Will & testam^t of the said Michael
since his death & while she was sole, or the said W^m Cole and
Margarett his wife since their intermarriage, the said Summe of
One hundred pounds of good & lawfull money of England unto
him the said Samuell Heron although often thereunto required
have not paid nor any of them hath paid, but the same to pay have
refused And the said W^m & Margarett still doe refuse, whereupon
the said Samuell saith he is the worse & hath da^mage to the Value
of One hundred & fifty pounds of lawfull money of England and
thereupon he brings his suite

And the said W^m Cole & Margarett his wife by Robert Carville
their Attorney come & defend the force and injury when &c and
pray hearing of the said writing obligatory & itt is read unto them,
they also pray hearing of the Condition of the said writing obliga-
tory & itt is read unto them in these words Viz^t The Condition of
this Obligation is such, that if the above bound Michael Rochford
his heyres Ex^{ts} or Adm^{ts} shall well & truly observe performe & keep
the severall clauses Articles & Agreements made from him to the
said Samuel Heron in a writing bearing date with these p^rsents
Then this Obligation to be void, otherwise to stand in full force &
Vertue. which being read & heard, the said W^m and Margarett by
their Attorney aforesaid pray liberty to imparle hereunto untill next
Provinciall Court, & itt is granted unto them, the same day is given
to the pⁿ also.

Att which said next Provinciall Court came the said parties by
their Attorneys aforesaid And the said W^m & Margarett by their said
Attorney say, that the said Samuell his action aforesaid against them
ought not to haue for that They say, the said Samuell Heron is a p. 101
fforeigner living in the City of London, And that the debt sup-
posed to be due to the said Samuell upon the Articles of Agreement
in the Declaration mencōned was contracted in the City of London,
And that the said Michael Rochford dyed indebted to severall per-
sons within this Province by bonds bills & accounts severall consid-

Liber W. C. erable Sumes of money & tobacco, for which the said W^m & Margaret have bin sued, & severall judgm^{ts} have bin obtained against them for the same, & some are still depending against them as well in this Court as in the County Court of S^t Maryes County some whereof the said W^m & Margaret haue paid & satisfied, & many others remaine yet unpaid And the said W^m & Margaret say that they had not att the tyme of the purchasing of the original writt of the said Samuell nor att any tyme since in their or either of their hands or possession of the Goods or Chattles of the said Michael that were his att the tyme of his death or any tyme since, his funerall charges & charges in his sicknesse, & charges of Administration deducted, sufficient to pay or satisfie the debts due to the said Michael Rochford Creditors residing in this Province And they demand judgm^t if they shall be compelled to answer the said Comp^{ts} action till the testators Creditors in this Province be first satisfied

And the said Samuell saith, that there is no Law of this Province, that debts due from the Estates of persons deceased to Creditors residing in this Province shall be paid before debts of an equall or superiour nature contracted in England, or due to persons residing in England, And this he desires may be enquired of by the Countrey. whereupon day is given to both parties untill next Provintiall Court

Now here att this day to witt the Eighteenth day of ffebruary in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq; Doni 1679. came the said Samuell Heron by his Attorney aforesaid & offered himselfe against the said W^m Cole & Margarett his wife in the plea aforesaid, but the said W^m & Margarett came not but made default. Therefore itt is considered that the said Samuell Heron recover against the said W^m Cole & Margarett his wife Exec^x as aforesaid as well the aforesaid Summe of One hundred pounds of good & lawfull money of England debt As also five hundred ninety two pounds of tobacco costs of suite And the defend^{ts} in mercy &c

Richard Hill	} W ^m Cole & Margaret his wife Ex ^x of the last	
ag ^t		} Will and testam ^t of Michael Rochford de-
W ^m Cole & ux: Ex ^x		} ceased were Sum ^{oned} to Answer unto Richard
Mich ^l Rochford	} Hill in a plea of trespas upon the case	

And whereupon the said Richard by John Blomfield his Attorney complaineth, that whereas the said Michael in his life tyme to witt the one & twentieth day of ffebruary 167⁷/₈ was indebted to the said Richard the Summe of seven hundred twenty eight pounds of tobacco And also the fourth day of April One thousand six hundred Seventy seven the quantity of foure hundred pounds of tobacco And likewise the fourteenth day of April One thousand six hundred seventy eight the Summe of foure hundred pounds of tobacco, as appeares by severall noates under the hand of him the said Michael here in Court produced, which said Sumes in

the whole Amount unto the Summe of ffifteene hundred twenty eight pounds of tobacco. In consideration whereof the said Michael did assume upon himselfe & to the said Richard did faithfully promise, that he the said Michael the said Summe of ffifteene hundred twenty eight pounds of tobacco to him the said Richard when thereunto required would well & truely content & pay Neverthelesse the said Michael in his life tyme nor the said Margaret Ex^x as aforesaid while she was sole, nor the said W^m & Margaret since their Espousalls though often thereunto required haue not paid, but the same to pay have denyed & yet deny, to the damage of the said Richard three thousand pounds of tobacco & thereupon he bringeth suite

Liber W. C.
p. 102

And the said W^m & Margaret by Robert Carvile their Attorney come & defend the force & injury when &c and pray liberty to imparle hereunto untill next Provintiall Court, & itt is granted unto them, the same day is given to the pth also.

Att which said next Provintiall Court to witt the Nineteenth day of ffebruary in the fifth year of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Anōq̃ Domini 1679 came the said Richard Hill by his Attorney aforesaid & offered himselfe against the said W^m & Margaret in the plea aforesaid, but the said W^m & Margaret came not but made default. Therefore itt is considered that the said Richard Hill recover against the said W^m Cole & Margaret his wife Ex^x as aforesaid as well the aforesaid Summe of ffifteene hundred twenty eight pounds of tobacco damages occasioned by the p^rmisses As also pounds of tobacco costs of suite And the Defend^{ts} in mercy &c

John Atkey	} Richard Ladd Sheriffe of Calvert County was Attached to Answer unto John Atkey of a plea of
ag ^t	
Richard Ladd	

trespasse upon the case

And whereupon the said John Atkey by Robert Ridgely his Attorney complaineth, that whereas by a certaine Act of Assembly made att an Assembly begun & held att the City of S^t Maryes the sixteenth day of May one thousand six hundred Seventy six entituled an Act for Lymitation of Officers ffees, itt is thereby amongst other things therein contained, Enacted by the right Hon^{ble} the Lord Prop^{ty} by & with the advice & consent of the upper & lower houses of that p^rsent Gen^l Assembly, that from & after the publicacōn thereof, no Officer or Officers thereafter mencōned in the said Act their Ministers Servants or Deputies by reason or colour of his or their Office or Offices have receive or take of any person or persons directly or indirectly any other ffees then by the said Act is thereafter lymitted & allowed to the severall Officers thereafter mentioned, that is to say To the Sheriffe for serving an Execution or Attachm^t ten pounds of tobacco, & if itt exceed five hundred pounds of tobacco, One hundred pounds of tobacco And in case any shall doe contrary to the said Act directly or indirectly

Liber W. C. shall loose & forfeit to the party grieved treble damages And shall also forfeit the Summe of six thousand pounds of tobacco or forty pounds sterl for every tyme he or they shall so doe the contrary,
 p. 103 the one moiety To the Lord Prop^{ty} his heyres & successors, the other moiety to the party or parties that shall sue for the same by any plaint action suite bill or Information, wherein no Essoyne protection or wager of Law shall be allowed. As by the said Act may more att large appeare Notwithstanding which the said Richard Ladd Sheriffe of the County aforesaid, the said Act & the penalties therein contained little regarding, he the said Richard Ladd haueing a certaine writt of Capias ad satisfaciend against the body of the said John Atkey att the suite of W^m Eagle & Amy his wife Adm^x of John Burges deceased for the Summe of Eight hundred thirty & six pounds of tobacco, him the said John Atkey the Eleventh day of Septemb^r One thousand six hundred Seventy nine att the Clifts in Calvert County aforesaid did Arrest & take, & him in prison did detain, and would not discharge, untill the said Richard from him the said John had extorted & taken for his ffees as Sheriffe of the said County in serving the said writt of Capias ad satisfaciend upon the body of the said John for Eight hundred thirty & six pounds of tobacco as aforesaid the Summe of Eight hundred pounds of tobacco, whereas by the said Act of Assembly there was due to him the said Richard for his ffees in serving the said writt no more but one hundred & tenn pounds of tobacco And so the said John Atkey saith, that the said Richard Ladd under colour of his Office of Sheriffe of Calvert County of him the said John Atkey for serving the said Execution hath taken & Extorted the summe of six hundred and ninety pounds of tobacco more then by the said Act of Assembly he ought to have had, to the great damage of the said John Atkey, & against the Act of Assembly aforesaid by which Action hath accrued to the said John Atkey to require & haue of the said Richard Ladd the Summe of two thousand & seventy pounds of tobacco being treble the summe he was damnified And also the Summe of three thousand pds of tobacco or Twenty pounds sterl in the said Act of Assembly contained, itt being due to him for suing for the same, And thereupon he bringeth his suite

And the said Richard Ladd by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle thereunto untill next Provintiall Court, & itt is granted unto him, the same day is given to the pth also

Att which said next Provintiall Court, to witt the Fourteenth day of ffebruary in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq^{ue} Doni 1679 came the said parties by their Attorneys aforesaid, And the said Richard by his said Attorney saith that he said Richard is in no wise guilty of the trespasse aforesaid in manner & forme as the said pth in his said Declaration hath alleadged And of this he putts himselfe upon the

Country And the said p^t likewise Therefore itt is comāded the Sheriffe of S^t Maryes County, that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c On which the said ffourteenth day of ffebruary in the yeare aforesaid, came the said parties by their Attorney aforesaid, & the jurors impannelled being called likewise came, to witt Tho: Cosden, Joseph Tilley, W^m Thomas, Marmaduke Semme, Richard Marsham, Samuel Holdsworth, Jn^o King, James Lewis, Tho Sedgwick, Geo: Holland, Robert Mason & ffrancis Corbett, who being Elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say, that the said Richard Ladd is not guilty of the trespas aforesaid in manner & forme as the p^t in his declaration hath alleadged, Therefore itt is considered that the Said John Atkey take nothing by his writt, but be in mercy for his false plaint thereupon And that the said Richard may goe thereof without day And also that the said Richard Ladd recover against the said John Atkey the Sume of One thousand seven hundred thirty nine pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said Richard may haue thereof Execution &c

Liber W. C.

p. 104

John Whittington	} Unlesse the Defend ^t appeare next Court the
ag ^t	
John Evans	} Sheriffe of S ^t Maryes County amerced

Henry Jowles	} The Defend ^t by Charles Boteler his Attorney ap-
ag ^t	
Peter LaMare	} peares & imparles untill Next Court

Edward Lunn who	} Unlesse the Defend ^t appeare next Court, the
as well &c	
ag ^t	
Anth ^o Demondadeer	} Sheriffe of Baltemore County amerced

February y^e 14th 1679

Upon the peticon of ffrancis Burton, that hee was a Souldier under the Comand of Majo^r Truman att the Susquehannough ffort, and there received a Wound by Gun shott in his Thigh, w^{ch} is now in a perishing condicōn haveing att p^rsent ffive tents in his Thigh, And that hee is allowed by the Country sixteene hundred pounds of tobacco p Annum but hath noe Chirurgion to dresse and endeavo^r his Cure, and to add to his said allowance of sixteene hundred pounds of Tobacco p Annum

Whereupon Itt is ordered by the Court, that Edw^d Mollins Chirur- gion doe take care of the said ffrancis Burton to dresse him and endeavo^r his cure, and there bee allowed unto the said ffrancis Burton ffoure hundred pounds of tobacco more to bee added to the fformer allowance of sixteen hundred pounds of Tobacco, Which

Liber W. C. addicōnall allowance, together wth the charges for the said Edward Mollins bee and is hereby Ordered to bee paid and Defrayed by the Country

p. 105 February y^e 11th 1679

Upon the peticon of Richard Newman that hee was fformely servant to George and ffrancis Beckwith deceased and had from the twelfth day of Aprill Annoq Dominij 1676, three yeares and a halfe to serve, and that the said time of servitude was Expired on the ffourth day of November last Yet neverthesse Cap^t Gerrard Slye his present Master refuses to give him a discharge, And humbly requested an Order of this Court, for his ffredome and ffredome Corne and Cloathes. Whereupon it being made appeare to this Court by a Certificate ffrom of the Records of George Beckwith's estate, that the said Richard Newman is free, Itt is therefore the oppinion and Judgment of y^e Court that the said Richard Newman is ffree, And ordered that Cap^t Gerrard slye satisfie and pay to the said Richard his ffredome Corn and Cloaths

Lydia Solley ag ^t Collen Mackensy	}	Whereas there was formely Issued out of his Lo ^{pps} high Court of Chancery a Certiorari Di- rected to the Comissioners of Charles County Court, to send under their hands and seales unto the Justices of this Court, a true transcript of the Record of the Judgment in the said Court upon an Action lately depending between the said Lydia Solley and Collen Mackensy, w ^{ch} not being as yet returned, Itt is ordered by the Court upon the request of Robert Ridgely Attorney for the said Lydia Solley. that the Comission ^{rs} of Charles County Court aforesaid Doe ffourthwith without delay Transmitt unto the Justices of this Court a true transcript of the Record aforesaid, And that the same bee sealed and attested as a true Copy of the Record by the Comissioners, that shall sitt att the next County Court whether they were att the hearing of the Cause or noe
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Feb^{ry} 11th 1679

Upon the peticon of Thomas Smith, Robert Jones, Ellis Thomas, & Lewis Mereddy that they were consigned servants to M^r John Addison, by Thomas Chapman of Liverpoole in old England Merchant, and were to serve from theire arrivall in this Province ffoure yeares, w^{ch} time of servitude was expired the seaventeenth day of December last, Yet notwthstanding w^{ch} theire Masters, Thomas Doxey Thomas Keeting and Marke Cordea refuses to give them discharges, And humbly prayed an Ord^r of this Court for theire ffreedomes ffredome Corne and Cloathes, WHEREUPON itt being made appeare to the Court here by the oathes of John Addison and Elizabeth Potter that the Said Thomas Smith. Robert Jones, Ellis Thomas and Lewis Mereddy came servants into this Province

but for ffoure yeares each of them, and that theire time of servitude is expired Itt is therefore Considered that the said Thomas Smith Robert Jones, Ellis Thomas and Lewis Merreddy are ffree, and Ordered that theire said Masters Thomas Doxey, Thomas Keeting and Marke Cordea pay them theire freedome Corne and Cloathes Liber W. C.

Whereas. heretofore to witt the ffifteenth day of Octob^r Annoq Domnij. One thousand six hundred seaventy eight, att a Provinciaall Court then and there held at the Citty of s^t Maryes, Itt was ordered that the Sheriffe of Charles County ffor the secureing the estate of John Sanders who is ffiled out of this Province, that it might not bee imbezilled, Doe take and seize into his hands such and soe much of the Estate of the said John Sanders as are to be ffound within his Baliwick And Whereas Afterwards (to witt) the ninth day of October last past, Sam^l Raspin ffactor and ajent of Nicholas Page Thomas Welborne & Amos Bonvile informed this Court. that by meanes and colour of the afores^d order and Judgm^t ffor ffifty two thousand pounds of tobacco debt with ffive hundred fforty ffoure pounds of tobacco costs of suite. obtained by the said Nicholas Page Thomas Welborne and Amos Bonvile against the said John Sanders the Eighteenth day of June One thousand six hundred seaventy eight is rendred ffruitles and ineffectuall, And humbly prayed that the said Order might bee sett apart & made voyd w^{ch} was accordingly ordered by the Justices of this Court p. 106

Nowhere att this day to witt the Twelfth day of ffebruary in the fifth yeare of the Dominion of the Right hono^{ble} Charles L^d Baltemore &c Annoq Dominj one thousand six hundred seaventy nine, the aforesaid Samuel Raspin ffor and on the behalfe of the said Nicholas Page Thomas Welborne and Amos Bonvile informed this court that the estate of the said John Sanders is attached in the hands of his Debt^{rs} suite the aforesaid Nicholas Page Thomas Welborne and Amos Bonvile, soe that noe effects is to be ffound wherewith the said judgment may bee satisfied, and humbly requested that the estate of the said John Sanders Secured and Seized by the sheriffe of Charles County by vertue of the order afforesaid, may be ordered to satisfie the aforesaid Judgment of the said Nicolas Page Thomas Welborne and Amos Bonvile Notwithstanding any Attachm^{ts} thereon laid, WHEREUPON Itt is ordered by the Court here, what goods Chattells or debts were seized on and taken into custody by the sheriffe of Charles County by vertue of the aforesaid Order Bee and is hereby adjudged lyable to satisfie the aforesaid Judgment of the said Nicholas Page Thomas Welborne and Amos Bonvile, before any other debt, Notwithstanding any Attachm^{ts} thereon Laid att the suite of any person whatsoever, By reason an Execucōn upon the Judgm^t afforesaid was impleaded by the Ord^r of this Court ffor secureing the Estate of the said Sanders as aforesaid

Liber W. C. To the Right hono^{ble} the Lord Proprietary & the Hono^{ble} Court
 the humble Peticon of Thomas Truman
 Humbly Sheweth

That yo^r peticon^r had a Pattent granted him ffor One thousand acres of land called Trumans Choice, And upon a Warrant of Resurvey there is ffound but three hundred seaventy five acres, Yo^r peticoner humbly prayes, that the said Pattent ffor One thousand Acres may bee Vacated and that hee may have a Pattent ffor the said quantity that there is ffound. being three hundred seaventy and ffive Acres And yo^r Peticon^r shall as in duty bound Ever pray &c^a.

Which Peticon afforesaid being read and heard Itt is ordered by the Court here this day to witt the twelfth day of March in the ffifth yeare of the Dominion of Charles Lord Baltemore &c Annoq Doni One thousand six hundred seaventy-nine, that the afforesaid Pattent ffor one thousand Acres bee surrendered up and Vacated upon Record And that his Lo^{pps} Letters Pattent Issue ffor and in the name of the aforesaid Thomas Truman ffor three hundred and seaventy five Acres of Land

p. 107 Richard Marsham } William Collins late of Calvert County was At-
 ag^t } tached to answere unto Richard Marsham of
 William Collins } the same County in a plea of trespass upon the
 case

And whereupon the said Richard by Christopher Rousby his Attorney Complayneth that Whereas the said Richard Marsham ffor twenty yeares last past, hath lived and inhabited, and as a Master of a ffamily hath kept house and ffamily in Petuxent River in Calvert County afforesaid, And by all that time hath used the faculty of liveing and gotten his wealth and estate aswell by Planting tobacco and disposing of the same ffor goods servants and Marchandize to Marchants and others ffrom time to time using ffrequenting and tradeing in this Province of Maryland as also by the lawfull and necessary art and mistery of a house Carpenter, by reason whereof the said Richard hath for the time aforesaid had occasion to Entertaine & imploy great numbers or Gangs of servants, ffor the ordering manageing Carying on and effecting of his said. trade. ffaculty. art. mistery. and businesse aforesaid And Whereas the said Richard now is a good true ffaithfull and honest person of this Province, and as a good true ffaithfull and honest pson of this Province without any guilt or suspicōn of ffellony, Murder, Killing, slaying, or any such Vile wicked unjust Art or Carriage whatsoever hath ever hitherto lived since the day of his ffirst comeing into this Province, And hath for the time aforesaid and ever behaved himselfe lived and Continued of good name, ffame, condicōn, credit, Conversation repute and behaviour, aswell towards all his neighbours Marchants and other worthy and hono^{ble} persons of this Province, And alsoe more especially as a carefull Loveing and kinde

Master towards all his servants. the ffeare of god haveing alwaies before his eyes, Hath ever used and Endeavoured with his Chieffest Care and Dilligence by all meanes possible hee could to provide sufficient for theire Cloathing dyett Lodgeing and all other necessaries and to preserve his said sarvants in health and welfare, Without ever giveing to them or any of them any Cruell or unreasonable Correccōn, or ever exacting or expecting more or other service ffrom them or any of them, then what in equity and good Conscience might reasonably bee expected ffrom them, By reason whereof the said Richard hath not onely obtained the Love ffavour and good will of all his Neighbours. Merchants and other worthy and hono^{ble} psons of this Province, but also hath kept himselfe his same oppinion estimation & Repute, and all his goods chattells Lands and tenem^{ts} safe secure and unteynted, And in noe wise subject to any Lawe for ffellony Murder killing or slaying or other mischeife or Offence abovesaid made and Provided Yet the said William Collins being not ignorant of the p^rmisses, but Envyng the happy estate and condicon of the said Richard, and maliciously intending not onely to deprive him the said Richard of his good name fframe Credit and repute aforesd and of his waies and meanes of liveing as afforesaid and to bring him into the hate disgrace and evill oppinion of all his neighbours Marchants and other worthy and hono^{ble} persons of this Province, but also innocently to cause him the said Richard to bee brought into danger of fforfeiting all and singular his Chattells lands and tenements and looseing of his life, the second day of October in the yeare of our Lord god One thousand six hundred seaventy and eight. Att a certaine place commonly called Mount Calvert hundred in Petuxent River aforesaid within the County aforesaid then and there haveing speech and comunication with one William Rought and divers other ffaithfull and Credible persons of this Province, of and concerning him the said Richard, in the presence and hearing of him the said William Rought and other neighbours and ffaithfull and Credible psons of this Province then and there being present and in hearing, Openly and publicuely and with a Loud Voice, these scandalous ffeigned and oprobrious words did ffalcely and maliciously say (Viz) that he the said William Collins Would Sweare, that Richard Marsham the said Richard Marsham the Plaintiffe meaning, beat his man Jenkins (one Jenkin Price meaning late servant to the said Marsham who dyed in his the said Richards service) while he, meaning the said Jenkin Price) was dead in the ffeild, And was brought dead into the house, meaning the ffeild and house of the said Richard, And this hee the said William Collins would Sweare before the Governour and Chancello^r, And the same William Collins out of the same mallice envy and evill Intention, Afterwards to witt the tenth day of October afores^d att the house of John Smith within the County aforesaid in the p^rsence and hearing of the same John Smith and divers other neighbours and Credible

Liber W. C.

p. 108

Liber W. C. persons of this Province, openly publickly and with a Loud Voyce did speake declare and publish of the said Richard Marsham those ffalce Scandalous and malicious Words ffollowing Viz that Rich^d Marsham (the said pl^t meaning) Did kill his man Jenkin (the said Jenkin Price meaning late sarvant of the said Richard Marsham who dyed in his said service) And that hee the said William Collins would prove it. Whereas in truth the said Richard Marsham did never perpetrate nor comitt any such ffact. as the beating of any Sarvant till hee Were dead or killing of any humane pson whatsoever, By reason of the saying speaking affirmeing publishing and declareing of w^{ch} said falce ffeigned scandalous infamous and Oprobrious words the said Richard Marsham is not onely Extreameilie hurt and Damnified in his good name ffame Creditt and estimacon aforesaid amongst his neighbours and other ffaithfull and worthy psons of this Province, to whome the innocency of the said Richard in this part was unknowne Who before the Speaking and Publishing the said Words were used to keepe Company and consort wth him the said Richard and with whome before that time the said Richard did usually Negotiate, deale, traffick, contract, buy and sell, and who have since withdrawne themselves from consorting & dealeing wth him the said Richard, but also the said Richard is hereby brought in perill and danger of fforfeiting of all his goods Chattells lands and tenem^{ts}, and is like innocently to bee brought in danger of his life as aforesaid And whereupon the said Richard Saith hee is Damnified and hath Damage to the Vallue of twenty thousand pounds of Tobacco and thereupon hee brings his Suite

And the said William Collins by Robert Ridgely his Attorney cometh & defendeth the fforce and Iniury when &c and prayeth liberty to imparle hereunto untill next Provinciaall & itt is granted unto him, the same day is given to the Plantiffe alsoe

Now here at this day to witt, the thirteenth day of ffebruary in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj one thousand Six hundred seaventy nine Came the said parties by theirre Attorneys afforesaid, and the said William Collins by his said Attorney saith that hee is not Guilty of the premisses above by the Plantiffe imposed upon him, in manner and fforme as the said plantiffe hath against him Complayned and of this hee puts himselfe upon the Country, And the Plantiffe likewise

Therefore Command is given to the sheriffe of S^t Maryes County that hee cause to come here twelve &c by whome &c. and who neither &c to Recognize &c because aswell &c

On which said thirteenth day of ffebruary in the yeare aforesaid came the said parties by theirre Attorneys afforesaid and the Jurors Impanelled being called Likewise came, to witt Thomas Cosden, George Godfrey, Joseph Tilley, William Thomas, Marmaduke Semme, Sam^l Holdsworth, John King, James Lewis Thomas Sed-

wicks George Holland Robert Mason & ffrancis Corbett Who being Liber W. C.
 elected tryed and sworne to say the truth in the premisses upon their
 Oathes doe say, that the said William Collins is guilty of the
 premisses above by the Plantiffe imposed upon him in manner and
 fforme as the said p^{lt} hath against him complained and they asseste
 the damage of the said plt to Sixteen hundred pounds of tobacco,
 Therefore itt is Considered that the Said Richard Marsham recover
 against the said William Collins, aswell the sume of sixteen hundred
 pounds of Tobacco Damages by the Jurors aforesaid in forme afore-
 said assessed as also Two thousand and seaventy two pounds of
 tobacco for Costs of suite And the Defend^t in mercy &c^a

M^r Ridgely

I have received satisfacon of M^r Robert Carvile for the Judgment
 by me obtained against him ffor two thousand two hundred thirty
 and Seaven pounds of tobacco Debt and costs of suite, Therefore
 these are to Warrant you to acknowledge Satisfacon upon the Rec-
 ord of the said Judgment Witness my hand this third day of January
 Annoq Dominj One thousand six hundred seaventy and nine

Test Garret Vanswearingen

Gilb. Turbervile

February y^e 17th 1679

Satisfacon of the Judgment aforesaid was then acknowledged
 in open Court by Robert Ridgely, by vertue of the above Warrant
 of Attorney

I Peter Carwardyne of Poplar hill hundred in the County of
 s^t Maryes in the Province of Maryland aged about fforty five yeares
 of age. doe testifie upon Oath, that comeing in the abovesaid Prov-
 ince with Cap^t Cornwallis, and a Neagro man called Charles Hoe
 then belonging to the said Cornwallis, and now in the posession of
 M^r Thomas Sprigg, I the abovesaid Peter Carwardine knowe noth-
 ing upon what account hee was transported into the abovesaid
 Province

The abovesaid Edward Carwardyne was Sworne the seaventh
 day of January 1679. Before me William Hatton

Ann Hillton declared that she came in the shipp with Cap^t Corn-
 wallis and a Neagro belonging to Cornwallis, but cannot tell upon
 what account hee came in and this is all that I can Swear upon
 Oath if called there unto the w^{ch} I am not able to goe to Court nor
 Magestrate by reason of age and lamenesse of body as Winesse
 my hand this sixth of ffebruary 1679

John Hillton

Ann Hillton

Henry Wharton

February y^e 3^d 1679

Then came before me Peter Hopkins aged fforty three yeares or
 thereabouts, Sworne and examined saith,

Liber W. C. That about twenty three yeares agoe, the Deponent being sarvant to Cap^t Cornwallis, the said Cornwallis bought one Negro man named Charles Cabe w^{ch} Neagro doth now pretend that the Depon^t Can swear that Cap^t Cornwallis brought him into this Province ffor the terme of One and twenty yeares, but the Depon^t saith that hee Knoweth nothing concerning his freedome, neither did hee ever heare his Master Cap^t Cornwallis say anything of his Ever being
 p. 110 ffree but onely a report ffrom the said Neagro himselfe and the seamen on board the shipp that they came in, and further saith not
 Joshua Doyne

Feb^{ry} 3^d 1679

Then came before me Mary Mirralls aged about fforty yeares examined and Sworne saith

That about twenty three yeares since the Depon^t being sarvant to Cap^t Cornwallis, the said Cornwallis bought one Neagro man in the Kingdome of England ffor twenty ffive pounds sterling named Charles Cabe, wch Negro doth now prtend that the Depon^t Can swear that Capt Cornwallis brought him into this Province ffor the terme of twenty one yeares, but your Depon^t saith that she Can say nothing as to his ffreedome after the terme of any time ffor she never heard anything ffrom her Master of his being ffree after any time, but onely a fflying report ffrom him and Likewise the seamen on board the shipp they came in And fffurther sayeth not

Joshua Doyne

Which Deposicons aforesaid being read and heard in the p^rsence of Charles Cabe a Negro and Thomas Sprigg his Master, and by the Justices here ffully understood, Itt is the oppinion and Judgm^t of the Justices here this day to witt the Eleaventh day of ffebruary in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj One thousand six hundred seaventy nine that the said Charles Cabe is a Slave

To the hono^{ble} The Justices of the Prov^{all} Court
 The humble peticon of James Anderson

Sheweth

That your Peticon^r was consigned to M^r John Addison of this Province by Thomas Chapman of old England Marchant and was to serve by Indenture ffoure yeares ffrom his arrivall in this Province, as by M^r Jn^o Addison can bee made appeare, w^{ch} time of servitude was expired on y^e two and twentieth day of December last, Yet notwithstanding his Master Marke Cordea refuses to give him a discharge and make him satisfaccon for his Corne and Cloathes, That your Peticoner is much afflicted by lamenesse w^{ch} is now and hath been broke out three monthes in such manner that unlesse some speedy remidy bee taken hee is in greate danger of his life, That the said Marke Cordea hath neglected the Peticon^r and never endeavoured ffor his cure, soe that yo^r Peticoner applied himselfe

to the hono^{ble} Chancellour, Who out of his wonted Clemency did give the Petitioner some meanes ffor dressing his wounds and an order to John Barnes ffor his accomodacōn att his house, That the Peticoñer is very unlike ever to bee in condicon of getting his livelyhood therefore as an Object of pittie p^rsents himsele to yo^r hono^{rs} ffor such order as to Your hono^{rs} shall seeme meet

Liber W. C.

Upon reading the aforegoing peticon, and the said Marke Cordea being p^rsent in Court. Itt is the Judgment of the Court here this day to witt y^e Eighteenth day of ffebruary in the ffifth yeare of the Dominion of y^e Right hon^{ble} Charles L^d Baltemore &c Annoq Dom 1679, that the said James Anderton is ffree, And it is ordered that the said Marke Cordea satisfie and pay unto the said Jn^o Anderton his ffreedome Corne and Cloths, And also that the said Jn^o Anderson apply himsele to the Comiss^{rs} of s^{tt} Maryes County Court ffor a reasonable yearely allowance for his ffuture Livelyhood

To the hono^{ble} the Justices of the Provinciaall Court

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The humble peticoñ of Elizabeth Cannee

Humbly Sheweth

That your Petitioner was fformerly servant to M^r Marke Cordea, and was by the said Marke Cordea assigned and comitted into the custody and und^r y^e Jurisdiccōn of John Lecompt sonn in Law to the said Marke Cordea, who hath seav^{ll} times acted as Attorney of the said Marke Cordea in Dorchester County and other parts of this Province, and was neve[r] yet by the said Marke Cordea contradicted) the said John Lecompt hath likewise to yo^r peticoñers Certaine knowledge sett ffree and discharged others of the said Marke Cordea's sarvants before the time of their Servitude was expired ffor y^e Consideracon of their Corne and Cloathes, That your Petitioner by Indenture was so Serve untill the sixth day of May next, but that the said John Lecompt upon the Eleaventh day of December last proffered your Peticon^r that if she would comitt him her Corne and Cloathes or what should bee due to her at the expiracōn of her time of Service she should bee then free, w^{ch} your Petitioner consented to and in consideracon thereof sould the said John Lecompt her Corne and Cloathes, and the said John gave her a discharge ffrom her service aforesaid under his hand w^{ch} she hath here ready to produce in Court Yet the said Marke Cordea hath by a Hugh and Cry taken your Petitioner and threatens to make her serve tenn dayes for Every one day she hath been absent since the said Discharge Your Petitioner humbly prayes that your Hono^{rs} will please to Consider the promisses and View her said Discharge, and order that shee may bee cleared from the said Cordea's Service if to your Honours it shall appeare to bee her due

And as in duty bound she shall pray &c^a

Upon Reading the aforesaid peticoñ, and the said Elizabeth Cannee and Marke Cordea being present in Court this day to witt the ffour-

Liber W. C. tenth day of february in the ffifth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c^a Annoq Dominj One thousand six hundred seaventy nine Itt is Ordered that the s^d Elizabeth Cannee serve the said Marke Cordea untill the expiracon of her time of servitude according to her Indenture, And that the said Marke bee for ever debarred ffrom takeing any advantage against the said Elizabeth ffor the time she absented her selfe from the service of the said Marke by vertue of the Discharge from the said John Le Compt, And alsoe that the said Marke Cordea pay unto the said Elizabeth Cannee (when her time of servitude is expired) her ffredome Corne and Cloathes

William Dolbery } Thomas Taylor late of Dorchester County Mar-
 ag^t } chant was attached to answeere unto William
 Tho: Taylor } Dolbery in a plea of trespas upon the case

And Whereupon the said William by Kenelme Cheseldyne his Attorney complaineth that Whereas the said William Dolberry att the request of the said Thomas Taylor and to the use of the said Thomas, had delivered to one Edmond Dwyer then ffactor of the said Thomas Taylor in the Kingdome of Ireland the sume of One hundred and ffifty pounds sterling money of England wth intention to have the same againe repaid by the said Thomas Taylor in this Province, And Whereas the said Edmond Dwyer for the payment of the said One hundred and ffifty pounds sterling according to the custome of Marchant used, by a Certaine bill or noate of Exchange, bearing date at Corke in the Kingdome of Ireland the ffifth of January 1679, and with his prop hand subscribed and to the said Thomas Taylor directed, had requested
 p. 112 the said Thomas Taylor att thirty dayes sight of the said bill of Exchange to pay to the said William Dolberry or order. the sume of One hundred & ffifty pounds sterling the vallue of him the said William Dolberry there received and to place it to the accompt of him the said Thomas Taylor it being laid out for him the said Thomas Taylors use, And whereas also the said William Dolberry afterwards that is to say the ffirst day of May in the yeare of our Lord 1679 in this Province of Maryland the afor^d Noate or bill of Exchange to the said Thomas did show, upon sight of w^{ch} said bill of Exchange the said Thomas the same did accept and the same w^{ch} his proper hand did subscribe according to Custome of Marchants used And thereupon the said Thomas then and there in Consideracōn of the p^rmisses did assume upon himselfe and to the said William Dolberry then and there ffaithfully promisse that hee the said Thomas the said Sume of one hundred and ffifty pounds sterling to him the said William Dolberry in Tobacco att tenn shillings p hundred would well and truly Content and pay the next fall of the yeare ffollowing Notwithstanding w^{ch} the said Thomas

Taylor, the said sume of one hundred and ffifty pounds sterling in tobacco att tenn shillings p hundred to him the said William Dolberry hath not paid though often thereunto required according to his promise but the same to pay hitherto hath and still denyes to pay to the damage of the said William the sume of two hundred pounds sterling, and thereupon hee bringeth his suite Liber W. C.

And the said Thomas Taylor by Robert Ridgely his Attorney cometh and defendeth the fforce and injury when &c and prayeth liberty to imparle here unto untill next Provinciaall Court and it is granted unto him, the same day is given to the plantiffe also

Nor here att this day to witt the nineteenth day of ffebruary in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltmore &c Annoq Dominj one thousand six hundred seaventy nine, came the said parties by theire Attorneys aforesaid And the said Thomas Taylor by his said Attorney prayeth Judgment of the writt aforesaid, because hee saith that at the time of the obtaining of the originall Writt afores^d to witt the seaventh day of June one thousand six hundred seaventy eight nor at the time of the service of the writt aforesaid upon the pson of the said Thomas to Answere the same by Stephen Gary of Dorchester County afforesaid (to witt) the second day of September then next ffollowing, nor at the time of the returne of the writt afforesaid (to witt) the seaventh day of October then next ffollowing, the said one hundred & ffifty pounds sterling in tobacco att tenn shillings a hundred, to the said Plt was not due by the promise of the said Defend^t in manner & fforme as the said p^{lt} in his Declaracon afforesaid hath alleadged against him ffor that the said p^{lt} in his said Declaracon saith that hee the said Thomas the said sume of one hundred & ffifty pounds sterling, to him the said William Dolberry in Tobacco att tenn shillings p Cent would well & truly Content and pay the next ffall of the yeare ffollowing, and the said p^{lt} upon that assumpsitt brings his Accon aforesaid Whereas the ffall of the yeare is alwaies accounted and reputed in this Province to bee the tenth of October, and noe tobacco ready or demanded before, nor was there any Speciall demand made by the said William of the said Tobacco as there ought to have been, nor is there any Averment of any such special demand in the Declaracon aforesaid and soe the said Defend^t saith that att the time of the sueing out service or returne of the said writt the said plt had noe cause of Accōn ag^t him And this hee is ready to averre And Whereupon hee prayes Judgment of the same Writt

And the said William Dolberry saith that the Writt aforesaid of him the said William against him the said Thomas ought not to abate, ffor the reasons aforesaid by the said Thomas alleadged ffor that hee saith, that hee the said William had just cause of accōn at the time of the issueing fforth of the writt of him the said William against him the said Thomas, & this hee is ready to Averre, and p. 113

Liber W. C. craves Judgment of the Court whether the said writt ought to abate or not, And the said p^lt likewise

Which being read heard and argued and by the Justices here ffully und^rstood Itt Seemeth to the same Justices, that the said plea of the said Defend^t in abatement of the writt aforesaid in manner and fforme aforesaid pleaded, and the matters in the same Contained are sufficient in Law to abate the aforesaid writt against the said Defendant in fforme aforesaid Obtained, Therefore Itt is Considered that the Writt aforesaid against the said Defendant in fforme aforesai[d] obtained shall bee abated and the said Defendant may goe thereof w^hout day And also that the said Thomas Taylor recover against the said William Dolberry the sume of

pounds of tobacco, ffor his costs and charges by him about his Defence in this behalfe laid out & expended And that the said Thomas Taylor may have thereof Execution &c

James Bennett & W ^m	} Thomas Taylor late of Dorchester County otherwise called Thomas Taylor of Dorchester County was sumoned to answe ^r e unto James Bennett and William Dolbury in a plea that hee hold Covenant with them
Dolbury	
ag ^t	
Thomas Taylor	

according to the fforce forme and effect of a certaine Indenture of Charter pty made between Edmond Dwyer on the behalfe of the said Thomas Taylor, and them the said James Bennett and William Dolbury w^{ch} to keepe with them hee ought &c^a

And Whereupon the said James Bennett and William Dolbury by Kenelm Cheseldyn theire Attorney saith that Whereas by a Certaine Indenture of Charter party made the one and twentieth day of August in the thirtieth yeare of the Reigne of o^r Sovereign Lord King Charles the second of England &c Annoq Dominj One thousand six hundred Seaventy eight Between them the said James Bennett and William Dolbury, by the names of James Bennett of sarum in the County of Wilshire Marchant, and W^m Dolbury of the County and Towne of Poole Maryn^r and Master under god of the good shipp called the sarum Marchant of Poole Burthen Two hundred Tunns or thereabouts, ffor themselves and Partners of the one part, And Edmond Dwyer, ffactor and agent of the said Thomas Taylor, by the name of Edmond Dwyer of Little Choptanke in Maryland Marchant, ffor and on the behalfe of the said Cap^t Thom[as] Taylor of the same place of the other part, of w^{ch} other part whereof with the seale of the said Edmond Dwyer, signed, they bring here in Court, the date Whereof is the same day and yeare above written Itt is witnessed, that the said James Bennett and William Dolbury did by those presents grant and Lett to ffreight unto the said Edmond Dwyer his ffactor or assignes part ffreight in the said ship in the p^rsent intended Voyage under mentioned, and hee the said Edmond tooke or hyred the same to ffreight as ffol-

loweth, That the said James Bennett and William Dolbury ffor themselves theire Executors and assignes ffor and in consideracon of what is underneath by the said ffraighter Covenanted & expressed Did thereby Covenant and promisse to and with the said ffreighter, That the said William Dolbury should with all Expedicon Well and sufficiently trim, ffit, furnish Victuall, Mann and prepare the said shipp ffor to psecute the Voyage hereafter mentioned, And that the said Master and Company wth the said shipp soe well and sufficiently fitted Victualled furnished and prepared should by the helpe of Almighty god, the Danger of the seas and restraint of Kings Princes and Rulers excepted) proceed and sayle the said shipp ffrom the port of Poole where then she was with all Convenient expedicon directly as winde and weather should permitt unto Corke in Ireland there to stay ten Lawfull working dayes If desired by the said ffreight^r or his assignes, to receive on board the said shipp all such passengers as the said ffraight^r his factor or assignes Should order to bee there put on board And then after the said tenn Lawfull working dayes from the said shipp^s ffirst arrivall there as Winde and Weather should pmitt to proceed and sayle the said shipp as soone as the said Master should end his businesse there ffrom thence directly unto Chaptanke in the County of Dorchester in Maryland, and there to deliver all the said passengers (mortallity Excepted) unto the said ffreightor his ffactor or assignes wth all Convenient expedition, In consideracōn whereof the said Edmond Dwyer ffor himselfe and the said Thomas Taylor theire Execut^{rs} ffactors or assignes Did Covenant and promisse to and with the said James Bennett and William Dolbury by those p^rsents that hee the said Edmond Dwyer his Executors ffactors or assignes (should god sending the said ship well to arrive att Corke in Ireland as aforesaid, shipp on board the said shipp the number & Quantity of fforty passengers Certaine, and as many more as hee could pcure and dispatch the said shipp there in tenn Lawfull working daies as aforesaid And that god sending the said shipp safe to arrive at Chaptancke in Maryland aforesaid, there the said Marchant his ffactor or assignes should receive of the said shipp all such passengers as should be shipped on board at Corke and Delivered att Chaptanck in Maryland for his Account as aforesaid and that hee the said Edmond Dwyer his ffactor or assignes there att or within ffifty dayes hee or they should receive the said passengers att Maryland as aforesaid should well and truly satisfie and pay or Cause to bee paid unto the said Master his Executors or assignes in the County of Dorchester in Maryland aforesaid ffor passage and Dyett over of fourty passengers Certaine (whether soe many or not) after the rate of nine hundred pounds weight of good sound Marchantable tobacco in Caske for each passenger, and should pay unto the said Master his Executors or assignes at the same time and place after the same rate for all such passengers as should or might bee carried

Liber W. C.

p. 114

Liber W. C. aforesaid more then fforty, ffor the account of the said ffreighter as aforesaid And it was further agreed by and between the said parties, that if any or either of the said passengers should happen to dye in the passage aforesaid then (in such case) there bee onely halfe ffreight paid after the rate aforesaid for the passenger or passengers that should Dye, And further that the said Marchant his ffactor or assignes Who should put the said passengers on board at Corke as aforesaid should pay unto the said Master his Executors or assignes on Demand for the Dyetting of each passenger durement the time the said shipp should stay there upon the said ffreighters Account untill she were Dispatched by the said ffreighter in Ireland after the rate of Eighteene pence for each passenger p weeke according as they might come on board, and receive dyett as by the said Indenture of Charter party more fully appeareth, And the said

p. 115 James Bennett & William Dolbury ffurther say, that although the said James and William have performed all and singular the Covenants grants and agreements in the Indenture of Charter party aforesaid above specified on their parts to be fulfilled performed and Kept according to the forme and Effect of the said Indent And by protesting that the said Edmond Dwyer nor the said Thomas Taylor for whome and on whose behalfe the said Edmond Dwyer did Covenant as aforesaid hath not fulfilled performed and kept any of the Covenants grants or agreements in the Indenture above Specified on their part to be pformed fulfilled and Kept, In ffact the said James Bennett and William Dolbury say, That after making the Indenture aforesaid and before the time of bringing the accõn of them the said James and William, that is to say immeadiately after the thirtieth day of August in the yeare of our Lord one thousand six hundred seaventy eight, Did with all expedicon well and sufficiently trim fitt furnish Victuall Mann and ppare the said shipp for to prosecute the Voyage aforesaid And that hee the said Master and Company with the s^d shipp soe sufficiently fitted Victualled ffurnished and prepared did proceed and Sayle the said shipp from the Port of poole where then she was with all Convenient Expedicon directly as Winde and Weather Would pmitt into Corke in Ireland And there to stay tenn Lawfull working dayes if desired by the said ffreighter or assignes, to receive on board all such passengers as the said freighter or his ffactors or assignes should order to bee there putt on board, and then after the said Tenn Lawfull working dayes, from the said shippes first arivall as winde and weather should permitt Did proceed and sayle the said shipp & as soone as the said Master did end his businesse there from thence directly did Sayle unto Chaptancke in the County of Dorchester in this Province of Maryland and Did tender and deliver all such passengers as the said Edmond shipped on board the said shipp unto

the said freighto^r his ffactor and assigne according to the fforme of the Indenture aforesaid, And the same James Bennett and W^m Dolbury further say that att the well arrivall of the said Shipp att Corke in Ireland aforesaid. the said Edmond Dwyer his ffacto^r nor assignes Did not shipp on board the said shipp the number or quantity of fferty passengers by nine and twenty passengers, nor did the Edmond Dwyer his ffactor or assigne or the said Thomas Taylor on Whose behalfe the said Edmond Covenanted wth them the said James and William as ffactor and ajent of the said Thomas Taylor at or within ffifty dayes after the receipt of such and soe many passengers as the said Edmond had shipped on board the said shipp att the arrivall of the said Shipp in Dorchester County in Maryland, pay or satisfy unto the said Master his Executors assignes, for Dyett and passage over of fferty passengers Certaine (whether soe many or not) after the rate of nine hundred Weight Nett of good sound Marchantable Tobacco and Caske for each passenger in the County of Dorchester in this Province according to the fforme and Effect of the Indenture aforesaid, Nor hath the said Edmond his ffacto^r or assignes or the said Thomas Taylor for whome hee Covenanted with the said James and William Upon demand for the Dyett of each passenger dureing the time the said shipp Did stay upon the said freighto^rs accompt untill she was dispatched by the said ffreighter in Ireland, paid unto the said Master his Executors or assignes for such sarvants as was shipped att the rate of eighteen pence p weeke according as they did come on bard and receive dyett according to the forme of the Indenture aforesaid, And soe the said James Bennett and William Dolberry sayth that the aforesaid Thomas Taylor on whose behalfe the said Edmond Dwyer did Covenant for as aforesaid with the said James and William although often required the Covenants aforesaid of that the said Edmond Dwyer his ffactor or assignes should shipp on board the said shipp att her arrivall at Corke in Ireland the number and quantity of forty passengers Certaine w^{hin} the time of tenn Lawfull workeing dayes, and that alsoe within ffifty dayes after the receipt of the said passengers in this province of Maryland the said Edmond his ffactor and assignes should truely satisfie and pay or cause to bee paid unto the said Master his Executors or assignes in the County of Dorchester in Maryland aforesaid for passage & dyet over of fferty passengers certaine (Whether soe many or not) after the rate of nine hundred pounds weight Nett of good sound Marchantable tobacco in Caske, for each passenger, and alsoe that the said Edmond Dwyer his ffactor nor assignes upon demand for each passenger, dureing the time the said Shipp Did stay on the said ffreightors account untill dispatched by the said ffreightor in Ireland, hath not paid unto the said Master his Executors or assignes, Eighteene pence p weeke for Dyett according as they Came on board and

Liber W. C.

p. 116

Liber W. C. received Dyett, wth the said James Bennett and William Dolbury hath not kept but broken, and the same with them the said James and William to keepe hath denyed and still doth denye, Whereupon the s^d James & William say they are Damnfied two hundred and fifty pounds sterling and thereupon they bring theire suite

And the said Thomas Taylor by Robert Ridgely his Attorney cometh and Defendeth the force and Injury when &c & prayeth liberty to imparle hereunto untill next provinciall Court. and it is granted unto him. the same day is given to the plaintiffe also

Now here at this day to witt the nineteenth day of feb^{ry} in the ffifth yeare of the Dominion of Charles Lord Baltemore &c Annoq Dominj 1679 Came the said parties by theire Attornyes aforesaid & the said Thomas Taylor by his said Attorney prayeth Judgm^t of the writt aforesaid, because hee sayth that hee the said Defend^t Thomas to the Indenture of Chart^r pty made the one and twentieth day of August in the yeare aforesaid in the Declaracon aforesaid recited is not party, nor hath hee signed or sealed the same, nor accon ag^t him upon that Indenture doth not lye, and this hee is readie to aver and thereupon of the same writt Demands Judgment, And the said James Bennett and William Dolbery by their said Attorney say, that the writt of them the said James and William ought not to bee abated for the reasons afore alleadged by the said Thomas Taylor, and this they are ready to averre, and Crave Judgment Whether the said writt ought to abate or not. And the said p^t Likewise

p. 117 Which being read heard and argued, and by the Justices here fully understood; Itt seemeth to the same Justices, that the said plea of the said Defend^{ts} in abatement of the writt aforesaid in manner and fforme aforesaid pleaded, & the matters in the same contained. are sufficient in Law to abate the aforesaid Writt against the said Defend^t in forme aforesd obtained Therefore itt is Considered that the writt aforesaid against the said Defend^t in forme aforesaid obtained shall bee abated, and the said Deft may goe thereof without Day, and alsoe that the said Thomas Tayler recov^r against the said James Bennett and William Dolbury the sume of pounds of Tobacco for his costs and charges by him about his Defence in this behalfe laid out and expended, and the Said Thomas Taylor may have thereof Execution

Archibold Arthur	} The jurors finding for the Defend ^t in this cause, the plaintiffe by George Parker his Attorney moved in Arrest of judgm ^t whereupon day is given to both parties untill next Provinciall Court
ag ^t	
Josias Lenham & Ja: Balderstone	
Adm ^{rs} John Desiardins	

Tho: Tailor Esq ^r	}	Josias Lenham & James Balderstone late of Kent	Liber W. C.
ag ^t		County Adm ^{rs} of the Goods & Chattles of John	
Jn ^o Desiardins		Desiardins deceased were Sumoned to Answer	
Adm ^{rs}	}	unto Thomas Tailor Esq ^r of a plea that they	
		render unto him the full & just Sumē of two	

thousand six hundred Sixty two pounds of good sound M^cchantable tobacco & caske which from him they unjustly detaine

And whereupon the said Thomas Tailor by George Parke[r] his Attorney saith, that whereas the said John Desiardin[s] in his life tyme to witt the twenty ninth day of March One thousand six hundred Seventy seven, by his certaine bill obligatory sealed with the Seale of him the said John Desiardins & here in Court produced, whose date is the day & yeare aforesaid, did binde himselfe his heyres Exec Adm^{rs} or assignes to pay or cause to be paid unto Col Thom[as] Tailor Esq^r or his certaine Attorney the full & just Sumē of two thousand six hundred sixty two pounds of good sound Merchantable tobacco & caske to containe the same in some convenient place in Cecil or Kent County upon all demands afte[r] the tenth day of October next ensuing the date of the same bill Yett the said John Desiardins in his life tyme, nor the said Josias Lenham & James Balderstone to whom Letters of Administration since the death of the said John Desiardins hath bin comitted, the same Sumē of two thousand six hundred sixty two pounds of tobacco to him the said Thomas according to the tenour of the said bill obligatory although often thereunto required hath not paid, but the same to pay hath denied and as yet yet doth deny, whereupon the said Thomas saith that hee is the worse & hath losse to the Value of five thousand p^{ts} of tobacco, & thereupon he bringeth his suite

And the said John & James by Robert Ridgely his Attorney cometh & defend the force & injury when &c & pra[y] liberty to imparle hereunto untill next Provintiall Court, itt is granted unto them, the same day is given to the pth also

Att which next Provinciall Court to witt the nineteenth day of ffebruary in the fifth year of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq Doni 167[9] Came the said parties by their Attorneys aforesaid And the said John & James by their said Attorney say, that the said pth his action aforesaid against them ought not to haue, because they say, that they have fully Administred all & singuler the Goods Chattles & Creditts which were of the said John Desiardins att the tyme of his death in their hands to be Administred of, nor any Goods & Chattles unadministred in their hands had of the deceased's att the tyme of the pths suing out the originall writt upon this action, nor att any tyme afterwards And this they are ready to averr, And thereupon demand judgm^t if the aforesaid pth his action aforesaid against them ought to have

And the said Thomas Tailor by his said Attorney saith, that he

Liber W. C. by any thing before alleaded ought not to be debarred from having his action aforesaid, because he saith, that they the aforesaid Josias Lenham & James Balderstone the day of the issuing forth the originall writt of him the said Thomas Taillor, had divers Goods & Chattles which were the aforesaid John Desiardins att the tyme of his death in their hands to be Administred to the Value of the aforesaid debt of two thousand six hundred sixty two pounds of tobacco, whereby they were able to satisfie him the same debt And this he prayeth may be enquired by the Country And the said pth likewise whereupon the said pth refuseth to make any further prosecution against the said Defend^{ts} in the plea aforesaid Therefore itt is considered that the said Thomas Taillor take nothing by his writt, but be in mercy for his false plaint thereupon And the said Josias & James may goe thereof without day Therefore itt is considered that the said Josias Lenham & James Balderstone recover against the said Thomas Taillor the sume of Eight hundred Eighty foure pounds of tobacco for their costs & charges by them about their defence in this behalfe laid out & expended And the said Josias & James may haue thereof Execution &c

John Owen	} Josias Lenham & James Balderstone late of Kent County, Adm ^{rs} of the Goods Chattles & debts of John Desiardins deceased, were At- tached to Answer unto John Owen of London
ag ^t Desiardins Adm ^{rs}	

Drugest, of a plea of trespas upon the case

And whereupon the said John Owen by George Parker his Attorney complaineth, that whereas the said John Desiardins in his life tyme, to witt the twenty fifth day of March in the yeare of our Lord God one thousand six hundred Seventy eight, in consideration of one Chest of severall Druggs & medicines bought had & received of him the said John Owen, amounting in the whole to the sume of thirty foure pounds & thirteen shillings of good and lawfull money of England, an accompt whereof is here in Court produced, did assume upon himselfe & to the said John Owen faithfully promise, that he the said John Desiardins the said Sume of thirty foure pounds & thirteen shillings when thereunto required would well & truly content & pay And the said John Owen in fact saith, that trusting to the faithfull promise of him the said John Desiardins

p. 119 made as aforesaid, did Sell & deliver unto him The said John Desiardins one Chest of severall druggs and medicines amounting in the whole to the sume of Thirty foure pounds and thirteen shillings, a particule whereof is herein annexed Yet the said John Desiardins the said Sume of Thirty pounds & thirteen shillings in his life tyme hath not paid nor they the said Josias Lenham & James Balderstone to whom Letters of Administration of all & singuler the Goods Chattles and debts of the said John Desiardins att the tyme of his death since his death hath bin comitted, the said

Sume of Thirty foure pounds & thirteen shillings haue not paid, but the same to pay hitherto have denyed & still doth deny, whereupon the said John Owen saith he is damnified & hath losse to the Value of fifty pounds of lawfull money of England And thereupon he brings his suite

And the said Josias & James by Robert Ridgely their Attorney come & defend the force & injury when &c and pray liberty to im-parle hereunto untill next Provinciaill Court & itt is granted unto them, the same day is giuen to the p^t also

Now here att this day to witt the Nineteenth day of ffebruary in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq̄ Doni 1679 came the said parties by their Attorneys aforesaid And the said Josias & James by their said Attorney say, that the aforesaid p^t his action aforesaid against them ought not to have because they say that they have fully administred all and singuler the Goods Chattles & creditts, which were of the said John Desiardins att the tyme of his death in their hand to be Administred of, nor any Goods & Chattles unadminist^d in their hands had of the deceased att the tyme of the p^{ts} sueing out the originall writt upon this action, nor att any tyme afterwards And this they are ready to averr And thereupon demand judgm^t if the aforesaid p^t his action aforesaid against them ought to haue. whereupon the said p^t refuseth to make any further prosecution against the said Defend^{ts} in the plea aforesaid Therefore itt is considered, that the said John Owen take nothing by his writt, but be in mercy for his false claime thereupon And the said Josias & James may goe thereof without day And also that the said Josias Lenham & James Balderstone recover against the said John Owen the sume of Eight hundred Eighty foure pounds of tobacco for their costs & charges by them about their defence in this behalfe laid out & expended And the said Josias & James may haue thereof Execution &c

ffbruary 11th 1679

Then was Robert ffranklyn Sheriffe of Ann Arundell County fine[d] to his Lord^{pp} the Lord Prop^{ry} of this Province two thousand pounds of tobacco for not returning his writts the day the same were returnable

ffeb^{ry} 11th 1679

Allowed by this Court unto John Hamilton of Charles County for drawing forth a copy of the ballance of all accompts as they stood upon the bookes of John Sanders the Sume of fou[r] hundred pounds of tobacco, to be paid unto him by M^r Samuell Raspin

John Wade	} Ejectm ^t	Thomas Lomax late of s ^t Maryes County	p. 120
ag ^t		was attached to answe ^r unto John Wade	
Thomas Lomax		in a plea Wherefore w th fforce & Armes	

unto one tract of Land or Plantacon
called by the name of Parkers rest lyeing and being in Kent County

Liber W. C. with all houses Edifices and other appurtenances thereunto belonging, w^{ch} Michael Miller of the said County to him the said John Wade for a terme of yeares yett to come and unexpired had devised hee entered, and him the said John from the same aforesaid did eject and other harmes to him did to the greate damage of the said John & against the peace &c^a.

And Whereupon the said John by Keneline Cheseldyn his Attorney sayth that whereas the said Michael Miller the twentieth day of June in the yeare of our Lord one thousand six hundred seaventy nine in Kent County afores^d did devise to the said John Wade, all that tract of Land or plantacon wth all houses Edifices and other appurtenances to the same belonging called Parkers rest lyeing and being in Kent County aforesaid & Containing the quantity of ffifty acres, to hold the said tract of land or plantacon wth all and singuler its appurtenances to the same belonging to the said John Wade and his assignes ffrom the said twentieth day of June in the yeare aforesaid ffor and dureing the terme and space of three yeares then next ensueing ffully to bee compleated and Ended, by vertue of w^{ch} demise the said John Wade did Enter unto the said tract of land or plantacon wth the appurtenances and was thereof possessed, And being soe thereof possessed the said Thomas Lomax afterwards, that is to say upon the ffoure and twentieth day of July in the yeare of our Lord 1679 into the tract of Land or Plantacon wth the appurtenances w^{ch} the said Michael Miller aforesaid to him the said John Wade had demised for a terme w^{ch} is not yet past entred, and him the said John Wade ffrom the said Tract of land or Plantacon wth the appurtenances did eject and other harmes to him the said John Wade did, to the greate damage of the said John and against the peace &c whereupon the said John saith hee is damnified tenn thousand pounds of tobacco And thereupon hee bringeth his suite. Unlesse the tennant in posession, or they under whome hee claimeth by the next Provinciaall Court appeare to this Declaracōn and make him or themselves Def^{ts} thereunto and by Rule of Court confesse the lease entry and ouster and insist onely upon the title, the Defend^{ts} in this Declaracon will confesse Judgment, and posession will bee delivered accordingly to the plantiffe

To George Tankersley the tenn^t in posession of the p^rmisses

Now here att this day to witt the eleaventh day of ffebruary in the ffifth yeare of the dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj One thousand six hundred Seaventy nine came Benjamin Randall of Kent County Gentl and made oth that there is not any tennant in posession of the aforesaid parcell of land called Parkers rest, and that hee left a true Coppy of the aforesaid
 p.121 Declaracon Attested by the Clerk of this Court upon the same Land, And the said accon being solemnly called and noe pson appearing to defend the p^rmisses Whereupon the said John Wade by Kenelme

Chesyldyne his Attorney on the behalfe of the Lessor Michael Miller Lib^r W. C.
 prayed that Judgm^t might bee Awarded by default and also his Lo^{pps}
 writt to cause him to have possession of the premisses, And itt is
 granted unto him accordingly

Justinian Gerrard	} Ejectm ^t	Att a Provinciaall Court held att s ^t Maryes the Eighteenth day of ffebru- ary in the fifth yeare of the Dominion of Charles L ^d Baltemore &c Annoq
ag ^t		
Vincent Mansfeild		

Dominj One thousand six hundred Seaventy nine before his Lo^{pps}
 Justices thereunto assigned

Came Justinian Gerrard by Nehemiah Blackiston his Attorney,
 and this cause standing att issue ready for tryall this present Court,
 But because it appeareth to the Court here that the same is an accōn
 of Ejectment, and that it is comēced by the said Justinian as Lessee
 of John Coode, against Thomas Lomax casuall Ejector and the
 said Vincent Mansfeild being named Defend^t instead of the casuall
 Ejector to trye the title to a parcell of Land now in the tenure and
 possession of the said Vincent Mansfeild or his assignes containing
 one hundred acres, lyeing in s^t Maryes County and parcell of S^t Clem-
 ents Mannour called Pursymon Pointe and being now in dispute
 betweene the said John Coode and Vincent Mansfeild And the Court
 ffinding it necessary that the due lines and bounds of the said parcell
 of land bee Surveyed and laid out by some skilfull pson according
 to the Originall Survey thereof by the direcōn of the Neighbour-
 hood that are most Knowing thereof, and that a ffaire plott and
 Certificate thereof bee returned to the next Prov^{all} Court soe that
 Justice may bee done to both partyes, Itt is by the Court this day
 ordered that John Manley gentl. bee and is hereby especially ap-
 pointed impowered and comanded to lay out the aforesaid parcell of
 Land according to the ancient meets and bounds thereof in the
 presence of the sheriffe of s^t Marys County aforesaid Who is hereby
 comanded and impowered to sumon & impannell & Jury of twelve
 good lawfull and honest men of the neighbourhood to goe upon
 the said Land, And to sumon and Examine Witnesses upon Oath
 that the truth of the matter may bee ffully discovered And the said
 Jn^o Manley is hereby comanded to runn the Lines according to the
 Evidence then to bee given & the direcon of the Jury, and to returne
 a Certificate of his proceedings herein and a ffaire plott of the Lands
 in question to the next Prov^{all} Court to bee held att s^t Maryes the
 Eleaventh day of May next attested aswell under the hand and seale
 of the said John Mauley as of the Sheriffe and Jurors aforesaid,
 that soe his Lord^{spps} Justices being ffully informed of the truth of
 the p^rmisses may doe therein as to Justice shall aptaine

itt appeareth to the Court here that [the s]ame is an accon of Eject- Liber W. C.
 ment, one that it is comenced by the said William as Lessee to Henry
 Hardy ag^t W^m Harbert casuall Ejector And the said Phillip Lines
 who is the party concerned haveing named himselfe Defend^t instead
 of the casuall Ejector, to try the title to One hundred and fifty acres
 of Land called Hardyes purchase, lyeing in Charles County and lately
 in the tenure and occupacon of Thomas Peirce deceased, And being
 now in dispute betweene the said Henry Hardy & Philip Lines, the
 Court pceiving the said one hundred and ffifty acres of land now in
 question is parcell of a tract of land fformerly surveyed for ffrancis
 Posey and John Berlaines planters containing ffoure hundred and
 fifty acres And lately in the tenure and occupacon of Richard Wat- p. 123
 son deceased, under whome the p^{lts} Lessor Claymeth, And ffor that
 the Defend^t Lines claymeth part of the said one hundred and ffifty
 acres as parcell of a parcell of land fformerly Surveyed ffor Thomas
 Batchelo^r containing ffoure hundred & ffifty acres called stump Dale,
 The Court doe finde it absolutely necessary, that the said two parcells
 of Land called Watsons Land and stump Dale bee surveyed and laid
 out by some skilfull pson according to the originall survey thereof,
 by the Direcon of the neighbourhood that are most Knowing in
 the ancient meets and bounds of the same two parcells of Land,
 thereby the better to ffinde out the true bounds of the Land in ques-
 tion, and that ffaire plotts and Certificates of both the same parcells
 of Land be returned to the next Provincially Court, soe that upon
 pusall & viewing thereof and hearing of what can be said of both
 sides the Court may doe therein what to Justice apttaines. Itt is
 by the Court this Day ordered that Randolph Brandt gentl bee and
 is hereby especially appointed impowered and comanded to lay out
 the aforesaid two parcells of Land according to the ancient meets
 and bounds thereof in the p^sence of the sheriffe of Charles County
 aforesaid, who is hereby comanded and impowered to sumon and
 impannell a Jury of twelve good Lawfull and honest men of the
 neighbourhood to goe upon the said land and to sumon and examine
 Witnesses upon oath that the truth of the matter may bee ffully
 discovered, And the said Randolph Brandt is hereby ordered to runn
 the Lines according to the Evidence there to bee given and the Direc-
 cons of the Jury, and to returne Certificates of his pceedings herein,
 and ffaire plotts of the Lands in question to the next Provincially Court
 to bee held att s^t Maryes the Eleaventh day of May next attested
 aswell under the hand and seale of the said Randolph Brandt, as of
 the sheriffe and Jurors aforesaid, that his Lordshipps Justices being
 ffully informed of the truth of the premisses may doe therein as
 to Justice shall apttaine

Barnard Johnson	} Elizabeth Letchworth late of Calvert County wid-
ag ^t	
Eliz ^a Letchworth	

dow was attached to answere unto Barnard John-
 son in a plea of trespassse upon the case

Liber W. C.

And whereupon the said Barnard Johnson by Christopher Rousby his Attorney Complaineth that Whereas hee the said Barnard Johnson did heretofore (to Witt) in the yeare for a valluable consideracōn purchase of one John Abington Marchant a certaine parcell or tract of land called then by the name of Glouc^r Hall Containing Acres more or lesse To hold to him the said Barnard and his heirs, By vertue Whereof hee the said Barnard unto the said tract of Land entered and was thereof possessed & ffrom thence fforth for seaverall yeares together part of the said Land did Cleare breake up Cultivate improve and make into a plantacōn, & thereupon one dwelling House, Two tobacco houses, one Milke house, one hog house and One hen house did build and cause to bee built, and one Nurcery & Orchard there did plant, and in the yeare 1678 one good and sufficient Corne ffeild and Tobacco ground ffor three workemen or Workeing hands with a good substantia[ll] fence of Loggs ffrom damage or danger of hoggs horses or Cattle did surround and secure, and alsoe in the said yeare of our Lord One thousand six hundred seaventy eight in and upon the said Cornefeild and Tobacco ground with three workemen or Workeing hands one good and sufficient Cropp or Corne and tobacco did plant worke and attend at all times meet and requisite and the same Cropp of tobacco att seasonable time and times did cutt downe & cause to be cutt downe and housed and hanged in the aforesaid tobacco houses of and belonging to the aforesaid plantacon, and did make & provide a sufficient number of tobacco hogsheads for the Packing of the said tobacco w^{ch} said tobacco hogsheads to witt, Eight in number were upon the twenty ffifth day of November 1678 Remaining and being upon the said plantacon now or late called Glouc^r hall, And whereas she the said Elizabeth Letchworth in right of Joseph Letchworth her sonn an Infant did in October 1678 at a Court then held for this Province at the Citty of s^t Maryes Recover posession of the said tract or parcell of Land now or late called Glouc^r hall from the said Barnard Johnson as lyeing within the Manno^r of Brook Court Manno^r ats Aquasco and as being parcell thereof. Whereby the said Elizabeth became seized of the said plantation houses and parcell of land now or late called Glouc^r hall in Right of her said Sonn as aforesaid, and being thereof soe seized upon the said ffive and twentieth day of Novemb^r 1678 att the plantacon aforesaid now or late called Gloucester hall the Workmen and sarvants of him the said Barnard ffrom strikeing striping & packing of the aforesaid Cropp of Tobacco then and there hanging, It being at the same time a season and the said Cropp of tobacco being then in very good case to bee struck Did obstruct and hinder, And two tunn of Caske that is to say Eight tobacco hogsheads of the prop goods and Chattells of him the Said Barnard then and there being did Take and carry away, Lock up and

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detaine and the same tobacco hogsheads Did utterly refuse to deliver Liber W. C.
to the said Barnard and his sarvants or Workemen or any other
person on his behalfe, By reason and occasion whereof and for want
of the said eight tobacco hogsheads, the workmen and sarvants
aforesaid of him the said Barnard Johnson were consteined at
that time to desist and fforbeare to strike the aforesaid Cropp of
tobacco, and thereby hee the said Barnard Wholly lost the benifitt
of the said season, and by occasion of the p^rmisses before hee the
said Barnard could provide himselfe of other Tobacco hogsheads
ffor the purpose aforesaid, to witt within the space of one moneth
from the said twenty fifth day of November aforesaid greate part
of the said Cropp of tobacco was by Cattle breaking into one of the
said tobacco houses wher the same was hanging, pulled downe
wasted & destroyed One other part of the same Cropp of tobacco
hanging in the same tobacco house wher the Cattle had before broke
in as aforesaid, was by the ffall of the same house w^{ch} happened to
bee blowne downe on or about the six and twentieth day of Decemb^r
1678, Lost perished and destroyed, & the Residue of the said Cropp
of tobacco being in the said other tobacco house of the said Planta-
con, by the burning of the said house w^{ch} happened shortly after
was utterly lost and Consumed, And soe the said Barnard by reason
and occasion of the p^rmisses utterly lost the aforesaid whole Cropp
of tobacco soe hanging and being in the aforesaid Tobacco houses p. 125
on the said twenty fifth day of November aforesaid, consisting of
at least, three thousand six hundred pounds of tobacco, By means
and occasion of w^{ch} said Losse soe sustained by the said Barnard
as aforesaid hee the said Barnard was totally Disabled in time of
shipping while goods were to bee bought to purchase cloathes and
things necessary ffor support of himselfe Wife Children and ffamily,
and to defray and satisfie his Just debts wherein hee stood obleiged,
Whereby the said Barnard saith hee is the worse and hath damage
to the vallue of Eight thousand pounds of tobacco, And thereupon
hee brings his suite,

And the said Elizabeth Letchworth by Robert Carvile her Attor-
ney Cometh and Defendeth the fforce and Injury when &c and
prayeth liberty to imparle hereunto untill next Provinciaall Court and
itt is granted unto her, the same day is given to the plantiffe also

Now here att this day to witt the fourteenth day of february in
the fifth yeare of the Dominion of the right hono^{ble} Charles Lord
Baltemore &c Annoq^d Dominj 1679 came the said parties by theire
Attorneys aforesaid, And the said Elizabeth Letchworth by her said
Attorney saith, That she is in noe wise guilty of the premisses above
by the said Barnard imposed upon her and of this she putts her selfe
upon the Country, & the plantiffe likewise.

Therefore comand is given to the sheriffe of s^t Maryes County,
that hee cause to come here twelve &c, by whome &c. and who neither
&c to Recognize &c because aswell &c, On w^{ch} said ffourteenth day

Liber W. C. of february in the yeare aforesaid came the said parties by their Attorneys aforesaid & the Jurors impanelled being called Likewise came, (to witt) Thomas Cosden Joseph Tilley, William Thomas, Marmaduke Semme, Samuell Holdsworth, Jn^o King John Atkey, Thomas Sedwick, George Holland, Robert Mason, Francis Corbett, and Richard Marsham Who being elected tryed and sworne to say the truth in the p^rmisses upon their oaths doe say, That the said Elizabeth Letchworth is guilty of the premisses above by the said Barnard Johnson imposed upon her, and they assesse the damage of the said Barnard to Two hundred pounds of tobacco, Therefore itt is Considered, that the said Barnard Johnson Recover against the said Elizabeth Letchworth, aswell the sume of two hundred pounds of tobacco damages by the Jurors aforesaid in fforme aforesaid assessed, as alsoe sixteen hundred twenty eight pounds of Tobacco for Costs of suite, And the Defend^t in mercy &c

W ^m Steevens	} Thomas skillington late Under sheriffe of Tal-	
ag ^t		bott County was attached to answeere unto
Thomas skillington		William steevens of a plea of trespas upon the case

And whereupon the said William by Robert Ridgely his Attorney complaineth that whereas by a Certaine act of Assembly made att a gen^l assembly begun and held at the City of s^t Maryes the sixteenth day of May 1676, Itt was amongst other things Enacted, By the Right hono^{ble} the Lord Proprietary wth the advise and consent of the upper and Lower houses of thát present gen^l Assembly, that from and after the Publicacōn thereof noe officer or officers there-
p. 126 after mentioned in that p^rsent Act, their Ministers servants or Deputyes, by reason or collour of his or their Office or offices, have receive or take of any pson or psons, directly or indirectly any other ffees then by the same Act is thereafter limitted & allowed to the seav^l Officers thereafter mencōned, And in case any shall doe contrary directly or indirectly to the said Act shall loose and forfeit to the party greived treble damages, and shall also forfeit the sume of six thousand pounds of tobacco or fferty pounds sterling ffor everytime hee or they shall soe doe contrary the one moyety to the Lord Proprietary his heires & successors. & the other moyety to the party and parties that shall sue for the same by any plait action suite bill or informacōn wherein noe Essoyne pteccōn or wager of Lawe shall bee allowed as by the same Act remaining upon Record Relacon being thereunto had more fully and more at large it doth and may appeare. The said William steevens in fact saith that the said Thomas skillington being und^r sheriffe of the said County of Talbott the third day of May 1678 the said Att not ffearing nor the penalties in the same contained not at all Regarding, One hundred pounds of tobacco ffor secretarys ffees for searching the Records, under colour of his Office did take Extort and receive under p^rtence

of the same being due to the Secretary, Whereas noe such sune was due to the secretary from the said William steevens to the greate damage of the said William steevens and contrary to the Act of Assembly aforesaid, By w^{ch} action hath accrued to the said W^m steevens to require and have of the said Thomas skillington the sune of three hundred pounds of tobacco being treble the sune hee was Damnfied and also the sune of Three thousand pounds of tobacco the moyety of the said six thousand pounds tobacco in the said Act of Assembly contained being due to him for suing for the same, and thereupon hee bringeth his suite

And the said Thomas skillington By John Rousby his Attorney comes and Defends the force and injury when &c And prayeth liberty to imparle hereunto untill next provinciall Court and it is granted unto him the same day is given to the plantiffe alsoe

Now here at this day to witt the sixteenth day of ffebruary in the fifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltimore &c^a Annoq Dominj One thousand six hundred Seaventy nine, came the said parties by their Attorneys aforesaid, and the said Thomas skillington by his said Attorney saith that hee is not guilty of the premisses above declared against him, and of this hee puts himselfe upon the Country, & the said William steevens likewise, Therefore itt is comanded the sheriffe of s^t Maryes County that hee cause to come here twelve &c by whome &c, and who neither &c. to Recognize &c because aswell &c wth Jurors being impannelled and called came, to witt, Robert Ellis, W^m Thomas, Henry Exon, James Veitch, Thomas Beale, Thomas Hussey, W^m Bawdon, Thomas Alcock, Bernard Johnson, Thomas Allanson, Edward sise, & Daniell Clocker Who being elected tryed and Sworne to say the truth in the premisses, the said William steevens although solemnly called came not, Whereupon a Nonsuite is Awarded against him, And Itt is Considered that the said William steevens take nothing by his writt but bee in mercy for his false clayme thereupon, And that the said Thomas skillington goe thereof without day, and alsoe that the said Thomas skillington recover against the said William Steevens the sune of twelve hundred fifty & five pounds of Tobacco for his Costs and charges in this behalfe laid out and Expended, And the said Thomas may have thereof Execution &c^a

Richard Fenwick } Gerrard slye late of s^t Maryes County was at-
ag^t } tached to Answere unto Richard ffenwick in a
Gerrard slye } plea of

And whereupon the said Richard ffenwick by Charles Boteler his Attorney complayneth, that Whereas the said Richard upon the fifth day of Aprill in the yeare of our Lord 1678 was posessed of one black Gelding branded on the neare buttock wth an X and of the price of two thousand pounds of tobacco, as of the prop guelding of him the said Richard ffenwick and being

Liber W. C.

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Liber W. C. thereof soe possessed the said Richard the said Guelding the day and yeare aforesaid out of his hands and possession lost, w^{ch} said Guelding afterwards that is to say the fifteenth day of August then next following by finding came into the hands and possession of him the said Gerrard Slye, Yet the said Gerrard knowing the aforesaid Guelding to bee the prop Guelding of him the said Richard ffenwick and unto him of right to belong and appertaine, Yet the said Gerrard Slye deviseing and fraudulently intending him the said Richard ffenwick of the said Guelding subtilly and craftily to deceive and defraud Although often thereunto required hath not delivered, but the same Guelding that is to say upon the tenth day of June in the yeare of our Lord one thousand six hundred seaventy nine hath converted and disposed to his owne use to the damage of him the said Richard Whereupon the said Richard saith hee is Damnified and hath losse to the vallue of two thousand ffive hundred pounds of tobacco, & thereupon hee bringeth his suite

And the said Gerrard by Christopher Rousby his Attorney cometh and Defendeth the force and injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court and itt is granted unto him the same day is given to the p^lt also

Now here at this day to witt the eighteenth day of ffebruary in the fifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1679 came the said parties by their Attorneys aforesaid, and the said Gerard by his said Attorney saith That between the writt upon w^{ch} this suite is grounded and the said p^lts Declaration there is materiall Variance in this viz, that the writt comandes the sheriffe of s^t Maryes County that hee take Gerrard Slye to answere unto Richard ffenwick of a plea of Trover and Conversion &c, And in the Declaracon Itt is onely said, to answere unto Richard ffenwick of a plea of w^{ch} the said Gerrard is ready to Avere, And prayes Judgment of the writt aforesaid and that the same may abate

p. 128 Whereupon the said p^lt refuseth to make any further prosecucon ag^t the said Defend^t in the plea afforesaid, Therefore itt is Considered that the said Richard ffenwick take nothing by his writt but bee in mercy for his falce claime thereupon, and that the said Gerrard may goe thereof without day, And also that the said Gerrard slye recover against the said Richard ffenwick the sume of ffive hundred and thirteene pounds of tobacco for his costs and charges by him about his defence in this behalfe laid out and expended, And the said Gerrard may have thereof Execucon

Sam ^{ll} Hatton	} Edward Cooke late of Dorchester County and Alice his wife, Adm ^{ix} of the goods and Chattells of Henry Montague dec ^d was Sumoned to answere unto Samuell Hatton of a plea that they render unto him Two
ag ^t	
Edw ^d Cooke & ux adm ^r	
Henry Montague	

thousand eight hundred pounds of tobacco w^{ch} ffrom him they un- Liber W. C.
justly Detaine

And whereupon the said Samuell by Robert Carville his Attorney saith that whereas the said Henry upon the twentieth day of Aprill in the yeare of our Lord 1675 by his certaine bill or writeing obligatory sealed with the seale of him the said Henry and here in Court produced, whose date is the day and yeare above written Did binde himselfe his Executors Adm^{rs} to pay or cause to bee paid unto the said Sam^l the full and Just sume of two thousand and fifty pounds of tobacco ffree from trash and Caske to containe to the same, to bee paid at some Convenient Landing in Tredhaven Creeke on tenth day of October next Ensueing the date thereof, or after on all demands, Itt being for a Valluable consideracon already in hand received And Whereas also the said Henry Montague upon the said twentieth day of Aprill aforesaid by his certaine other bill or Writing obligatory sealed with the seale of the said Henry and here in Court produced whose date is the same day and yeare aforesaid, Did binde himselfe his heires Executors and adm^{rs} to pay unto the said Sam^l the full & Just sume of ffive hundred pounds of good sound Marchantable Tobacco and Caske in some convenient place in Tredhaven Creeke att or upon the tenth of October next Ensueing the date thereof itt being a valluable consideracon already in hand received, more due since. according to the within mentioned bill for a Table and fforme Two hundred and fifty being both seaven hundred and ffifty pounds of tobacco, all w^{ch} said seaverall sumes doe in the whole amount to the Sume of Two thousand eight hundred pounds of tobacco, Yet notwithstanding the said Henry in his life time Nor the said Alice in her Widdowhood since his death, nor the said Edward and Alice since their intermarriage, the said sume of Two thousand Eight hundred pounds of tobacco to him the said Samuell though often thereunto requested, hath not paid or satisfied, but the same to pay and satisfie hath hitherto denyed and still doth denye and refuse to pay the same to the damage of the s^d Sam^l ffoure thousand pounds of tobacco, & thereupon hee bringeth his suite

And the aforesaid Edward and Katherine by Kenelme Cheseldyne p. 129
their Attorney doth come and Defend the fforce and injury when &c, and prayeth liberty to Imparle hereunto untill next provinciall Court and it is granted unto them the same day is given to the plantiffe alsoe

Now here att this day to witt the Eighteenth day of ffebruary in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj One thousand six hundred seaventy nine. came the said parties by their Attorneys aforesaid, And the said Edward and Katherine by their said Attorney Pray hearing the writt aforesaid and itt is read unto them in these words, Charles

Liber W. C. &c. To the sheriffe of Dorchester County greeting Wee comand you that you take Edward Cooke & Katherine his wife, Adm^{ix} of Robert Mountague deceased if they shall bee found in yo^r Baliwick & them safe keep soe that you have their bodies before our Justices of our Prov^{all} Court to bee held att our Citty of s^t Maryes the seaventh day of October next to answere unto Sam^{ll} Hatton of a plea that they render unto him Two thousand eight hundred pounds of tobacco w^{ch} ffrom him they unjustly detaine, hereof ffaile not att your perill and have you there this writt &c dat y^e 7th June 1679, w^{ch} being read and heard the said Edward and Katherine prayes Judgm^t aforesaid because they say, that betweene the writt aforesaid and the Declaracon Whereupon the said Sam^{ll} brought his Writt aforesaid against the said Edw^d & Katherine by the name of Edward Cooke and Katherine his wife of Dorchester County Adm^{ix} of Robert Montague deceased, and Declared against upon that writt, by the name of Edward Cooke of Dorchester County and Alice his wife adm^{ix} of the goods and Chattels of Henry Montague deceased, and not by the name of Edward Cooke of Dorchester County & Katherine his wife Adm^{ix} of the goods and Chattells of Robert Montague deceased as the said samuell ought to have Declared and this hee is ready to Verifie, Whereupon the said Edward and Katherine Adm^{ix} as aforesaid ffor the Variance aforesaid prayed Judgment of the Writt aforesaid Whereupon the said plantiffes refuseth to make any further psecution against the said Defend^{ts} in the plea aforesaid, Therefore Itt is considered that the said Samuell Hatton take nothing by his writt but bee in mercy ffor his falce claime thereupon, and the said Edward and Katherine may goe thereof wthout day And also that the said Edward Cooke and Katherine his Wife Recover against the said Sam^{ll} Hatton the sume of pounds of tobacco ffor theire costs and charges by them about theire defence in this behalfe Laid out and Expended, And the said Edward & Katherine may have thereof Execution

Nehemiah Blackiston	}	Thomas Russell late of Baltemore County
ag ^t		otherwise called Thomas Russell of Charles
Thomas Russell	}	County in the province of Maryland was
		attached to answere unto Nehemiah Black-
		istone gentl. one of the Attornyes of this Court according to the
		previlidges of Attornyes &c of a plea that hee render unto him
p. 130		Two thousand two hundred pounds of Tobacco which to him hee
		oweth and Unjustly Detaineth

And whereupon the said Nehemiah in his prop pson saith that Whereas the said Thomas the thirteenth day of March Annoq Dominj One thousand six hundred seaventy seaven by his certaine bill or writeing obligatory sealed wth the seale of him the said Thomas here in Court produced whose date is the day and yeare abovesaid,

binde himselfe his heres Executors and adm^{rs} to pay or cause to bee paid unto the said Nehemiah the ffull and Just quantity of Two thousand three hundred pounds of good sound and Marchantable tobacco and Caske in some Convenient place in Charles County aforesaid upon demand, Yett notwithstanding the said Thomas the said sume of two thousand three hundred pounds of tobacco to him the said Nehemiah though often thereunto required hath not paid or satisfied, but the same to pay hath hitherto Denyed and still doth denye and refuse to the Damage of the said Nehemiah three thousand ffive hundred pounds of tobacco And thereupon hee bringeth his suite

And the said Thomas Russell by Henry Bonner his Attorney Cometh and defendeth the fforce and Injury when &c And prayeth liberty to Imparle hereunto untill next Provinciaall Court and itt is granted unto him. the same day is given to the p^t also

Now here att this day to Witt the Eighteenth day of ffebruary in the fifth year of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj One thousand six hundred Seaventy nine, came the s^d plt by his Attorney aforesaid and Offered himselfe against the said Defend^t in the plea aforesaid but the said Defend^t Came not but made default. Therefore itt is Considered that the said Nehemiah Blackiston recover against the said Thomas Russell aswell the said Sume of two thousand three hundred pounds of tobacco, debt, as alsoe nine hundred ninety Eight pounds of Tobacco Costs of suite, And the Defend^t in mercy &c

James Mills Exec ^r of	} John Larkin Adm ^r of all and Singuler the
Sam ^l Boston	
ag ^t	
Jn ^o Larkin Adm ^r of	
Enock Bolton	} Enock Bolton deceased was attached to an-
	} swere unto James Mills of a plea of trespass
	} upon the case

And Whereupon the said James Mills by Robert Ridgely his Attorney Complayneth that Whereas the said Enock Bolton in the life time of the said Enock to witt the first day of June in the year of our Lord 1678 stood indebted unto the said James Mills upon ballance of all accompts between them the sume of ffoure thousand ffoure hundred pounds of Tobacco, in Consideracon whereof the said Enock the day and yeare aforesaid did draw one noate under his hand upon the Hono^{ble} Collon^l Thomas Tailor requesting and desireing the said Thomas Taylor to pay the same ffoure thousand ffoure hundred pounds of tobacco to him the said James Mills ffor the pp debt of the said Enock And the said Enock Bolton did assume upon himselfe and to the said James did then and there faithfully pmissse that if the said Thomas Taylor the said ffoure thousand ffoure hundred pounds of tobacco to him the said James Mills according to the teno^r of the said Noate should

Liber W. C.

Liber W. C.
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not well and truly pay When the same was p^resented unto him, hee the said Enock him the said James the said ffour thousand ffoure hundred pounds of tobacco would well and Justly content & pay when thereunto required, And the said James Mills in ffact saith that trusting to the faithfull p^rmissee of the said Enock Bolton to him as aforesaid in manner aforesaid made, hee the said James did accept of the said note, And afterwards to witt the two and twentieth day of June in the yeare aforesaid att the Ridge in Ann Arrundell County aforesaid at the house of the said Thomas Taylor to the said Thomas Taylor, the said Noate soe drawne on him by the said Enock for ffoure thousand ffoure hundred pounds of tobacco as aforesaid payable to the said James, hee the said James did p^resent to the said Thomas and desire his acceptance and paym^t thereof but the said Thomas wholly refused and denyed the same, Yet the said Enock Bolton in his life time nor the said John Larkin since his death, to whome the Adm^{on} of all and singuler the goods Chattells Rights and Creditts w^{ch} were of the said Enock in his life time since his death hath been Comitted, the said sume of ffoure thousand ffoure hundred pounds of tobacco although often thereunto requested have not paid or satisfied but the same to pay or satisfie have denyed and as yet doe denye, to the damage of the said James Mills six thousand pounds of tobacco, an thereupon they bring theire suite

And the said John Larkin by George Parker his Attorney Cometh and Defendeth the fforce and Injury when &c, and prayeth Liberty to imparle hereunto untill next provincially Court and itt is granted unto him the same day is given to the p^lt alsoe

Now here att this day to witt the Eighteenth day of ffebruary in the ffifth yeare of the Dominion of the right hono^{ble} Charles Lord Baltemore &c Anog^s Dominj 1679 came the said parties by their Attorneys aforesaid, and the said John Larkin by his said Attorney saith that the said James Mills his acc^{on} aforesaid against him Ought not to have for that hee hath ffully administred all the goods and Chattells w^{ch} were the said Enock Boltons att the time of his death, and that hee hath noe goods and Chattells w^{ch} were of the aforesaid Enock Boltons at the time of his death in his hands to bee Administred, nor had att the day of the takeing out of the Originall writt of the said James nor ever after and this hee is readie to Verifie, Whereupon hee demands Judgment whether the said James his acc^{on} aforesaid against him Ought to have &c And the said James Mills by his said Attorney saith, that hee by any thing before alleadged from haveing his action aforesaid ought not to bee debarred because hee saith that the said Defend^t the day of the Entring the Originall writt against him in this Accon, to witt the seaventh day of June last past had divers goods and Chattells w^{ch} were of the said Enock Bolton at the time of his death in his hands to bee administred to the vallue of the Debt aforesaid out of

wch the said Defend^t, the said p^{lt} his debt aforesaid could satisfie, Liber W. C.
to witt att Ann Arundell County wthin the Jurisdiccon of this Court,
and this hee hee [*sic*] prayeth may bee Enquired of by the Country.
Wch being read and heard the said plantiffe by his said Attorney
refuseth to make any further psecucon against the said Defend^t
in the plea aforesaid. Therefore itt is Considered that the said plt
take nothing by his Writt butt bee in mercy for his false claime
thereupon, and the said Defend^t may goe thereof wthout day, and
alsoe that the said John Larkin administrato^r as aforesaid recov^r p. 132
against the said James Mills the sume of Eight hundred twenty
foure pounds of tobacco for his costs & charges about his Defence
in this behalfe laid out and Expended. And the said John Larkin
may have thereof Execucōn

John Hartwell	}	John Butcher late of Charles County planter was
ag ^t		attached to answe unto John Hartwell of a plea of
John Butcher		trespas upon the case

And whereupon the said John Hartwell by Robert
Ridgely his Attorney Complayneth that Whereas the said John
Butcher the two & twentieth day of October in the year of our
Lord 1678 stood indebted unto the said John Hartwell by bill under
his hand and Seale, the ffull and Just sume of Eight thousand &
nine pounds of tobacco, and being soe indebted the said p^{lt} and def^t
the said two and twentieth day of October in the yeare aforesaid at
Charles County aforesaid came to an account of divers recconings
between them, & upon the recconing up of the said account it was
found that the said John Butcher him the said John Hartwell had
paid in part of the said bill, the sume of ffoure thousand one hun-
dred ninety & nine pounds of Tobacco, soe that there remayned
due to the said John Hartwell the day and yeare aforesaid, the
sume of three thousand eight hundred & tenn pounds of tobacco in
full of the said bill, The said John Butcher in case said John Hart-
well him the said bill of Eight thousand and nine pounds of tobacco
would deliver up, hee the said John Butcher did assume upon him-
selfe and to the said John Hartwell did ffaithfully promise, that hee
would then and there passe bill to him the said Hartwell for the said
sume of three thousand eight hundred and tenn pounds of tobacco
payable upon demand And the said John Hartwell in fact saith that
trusting to the pmissse & assumption of him the said John Butcher
to him soe as aforesaid made, hee did deliver up to the said John
Butcher the said bill of Eight thousand and nine pounds of tobacco,
& did then & there tender one bill to the said John Butcher payable
upon demand to the said John Hartwell for the sume of three thou-
sand eight hundred and tenn pounds of tobacco, the ballance of
the bill aforesaid, due to him as aforesaid, Yet the aforesaid John
Butcher his pmissse and Assumpcon soe as aforesaid made not

Liber W. C. Regarding but deviseing and fraudulently intending him the said John Hartwell of the said sume of three thousand eight hundred & tenn pounds of Tobacco Craftily & subtilly to deceive & defraude, The said bill soe tendered him Refused to signe & Seale according to his pmisse, & to passe bill for the same according to his pmise did denye & as yet doth denye, to the damage of the said John Hartwell five thousand pounds of tobacco, & thereupon hee bringeth his suite

And the said John Butcher by Robert Carville his Attorney cometh & defendeth the fforce & injury when &c, and prayeth liberty to im-parle hereunto untill next Provinciaall Court and itt is granted unto him the same day is given to the plt alsoe

Att w^{ch} said Provinciaall Court to Witt the ffourteenth day of p. 133 ffebruary in the ffifth year of the Dominion of the Right hono^{ble} Charles Lord Baltemore Anno Dominj One thousand six hundred Seaventy nine Came the said parties by their Attorneys aforesaid, and the said John Butcher by his said Attorney saith that hee the said John Butcher did not assume nor pmisse as the said John Hartwell hath above Declared against him and of this hee puts himselfe upon the Country & the p^{lt} likewise, therefor Itt is Comanded the sheriffe of s^t Maryes County that hee Cause to Come here twelve &c. by whome &c and who neither &c to Recognize &c because aswell &c: wch said fourteenth day of ffebruary in the yeare aforesaid came the said parties by their Attorneys aforesaid, and the Jurors impannelled being called likewise came. to witt Robert Ellis William Thomas. Henry Exon James Veitch. Thomas Beale, Sam^{ll} Dobson, William Bawdon, Owen Guithe[r] Barnard Johnson, Thomas Allanson, Edward sise, Daniell Clocker, who being elected tryed & sworne to say the truth in the p^misses, upon their Oathes doe say that the said John Butcher is not guilty of the premisses by the said plan-tiffe alleadged against him in manner & fforme as the said p^{lt} in his Declaracon hath sett forth, therefore itt is considered that the said John Hartwell take nothing by his writt but bee in mercy for his false plaint thereupon, and that the said John Butcher may goe thereof without day, And also that the said John Butcher recover against the said John Hartwell the sume of two thousand one hundred seventy three pounds of tobacco ffor his costs and charges by him about his defence in this behalfe laid out and Expended, And the said John Butcher may have thereof Execution

Marmaduke Bowdler	} Sam ^{ll} Tovey late of Kent County Marchant,
ag ^t	
Sam ^{ll} Tovey	

otherwise called Samuell Tovey of Kent
County in the province of Maryland was sum-
oned to Answere unto Marmaduke Bowdler
of the City of Bristoll Woollen Draper of a plea that hee Render
unto him the full & just sume of twenty seaven pounds seaven shil-
lings & ffoure pence w^{ch} hee oweth him, & ffrom him unjustly de-
taineth

And whereupon the said Marmaduke Bowdler by George Parker Liber W. C.
his Attorney saith that whereas the said Samuell Tovey the tenth
day of october 1674, by his Certaine bill or writeing under the hand
of the said Samuel Tovey & here in Court produced, whose date is
the day and yeare ffirst above Written, did promise to pay unto
Marmaduke Bowdler of the same Citty Woolen Draper or to his
assignes the ffull and just sume of twenty Seaven pounds seaven
shillings & ffoure pence upon the twenty fourth day of March next
Ensueing the date of the said bill or writeing, Notwithstanding w^{ch}
the said Sam^{ll} Tovey the said full & Just sume of twenty Seaven
pounds seaven shillings and ffoure pence to the said Marmaduke
Bowdler although often thereunto required hath not paid but the
same to pay hath altogeth denyed and still doth denye and refuse
to the greate Damage of him the said Marmaduke, Whereupon hee
saith hee is Damnified and hath Losse to the Vallue of forty pounds
sterling money And thereupon hee bringeth his suite

And the said samuell Tovey by Robert Carvile his Attorney Com- p. 134
eth and Defendeth the fforce and injury when &c and prayeth liberty
to imparle hereunto untill next Provinciaall Court and itt is granted
unto him. The same day is given to the plt also

Att w^{ch} said Provinciaall Court to witt the nineteenth day of ffebru-
ary in the ffifth yeare of the Dominion of the Right hono^{ble} Charles
Lord Baltemore &c. Annoq Dominj 1679. Came the said partyes by
theire Attorneys aforesaid, and the said Sam^{ll} Tovey by his said At-
torney sayth, that hee doth not Owe to the said Marmaduke the said
sume of twenty seaven pounds seaven shillings and ffoure pence nor
one penny thereof in forme as the said Marmaduke above against
him hath declared and of this hee putts himselfe upon the Country,
And alsoe moves the Court here that the p^{lt} being a fforeigner may
put in Security to pay unto the Def^t cost of suite if the said plt shall
happen to bee cast or nonsuited therein, W^{ch} the plantiffes Attorney
refusing to doe a Nonsuite is awarded against him, And Itt is con-
sidered that the said Marmaduke Bowdler take nothing by his Writt
but bee in mercy for his false plaint thereupon, And that the said
samuell Tovey may goe thereof without day And alsoe that the said
Samuell Tovey recov^r against the said Marmaduke Bowdler the sume
of Eight hundred eighty Seaven pounds of tobacco for his Costs and
charges by him about his Defense in this behalfe laid out and ex-
pended, and the said samuell may have thereof Execution

Gerrard Slye. Adm ^r of	} Michael Miller late of Kent Countÿ Other- wise called Michael Miller of Kent County gentl. was sumoned to Answer unto Ger- rard Slye Adm ^r of the goods & Chattells of Richard Chilman deceased, of a plea that
Richard Chilman	
&	
Michael Miller	

hee render unto him Twenty ffoure thousand pounds of good sound
Marchantable tobacco & Caske w^{ch} ffrom him hee unjustly deteynes

Liber W. C.

And Whereupon the said Gerard Slye by Christopher Rousby his Attorney saith, that whereas the said Michael Miller the twenty seaventh day of ffebruary 1677 By his certaine Writeing obligatory sealed wth the seale of him the said Michael here in Court pduced whose date is the same day and yeare above written, Did acknowledge himselfe to bee holden and firmly bound unto the above named Richard Chillman in the full & Just quantity of Twenty foure thousand pounds of good Sound Marchantable Tobacco in Caske to bee paid to the said Richard or to his Certaine Attorney his Ex^{rs} adm^{rs} or assignes, to w^{ch} payment well and truly to bee made. Hee the said Michael did binde himselfe his heires Execut^{rs} and adminst^{rs} firmly by these p^rsents Neverthesse the said Michael Miller the said sune of twenty ffoure thousand pounds of tobacco unto him the said

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Richard Chillman in his lifetime, or unto the said Gerrard Slye to whome Adm^{on} of all the goods and Chattells w^{ch} were of the said Rich^d Chillman att the time of his death, by the hono^{ble} Philip Calvert Esq^r Comissary generall since his Death hath been committed, though often thereunto required have not payd, but the same to pay hath refused and still doth refuse in hinderance of the administracon aforesaid Whereupon the said Gerrard sayth hee is the worse and hath losse to the vallue of thirty thousand pounds of tobacco And thereupon hee bringeth his suite

And the said Gerrard Slye bringeth here in Court his Lett^{rs} of Adcōn whereby itt may appeare to the Court here that he is Rightfull Adm^r as aforesaid And the said Michael Miller by Robert Ridgely his Attorney cometh & defendeth the fforce and Injury when &c. and prayeth the hearing of the said writeing obiigatory and itt is read unto him hee also prayeth hearing of the Condicon of the said Writeing obligatory and it is read unto him in those words. viz The Condicon of this obligacon is such that if the above bounden Michael Miller doe and shall well & truly pay or cause to bee well & truly paid and delivered unto the said Richard Chillman or his assignes, the Just & ffull sune of & quantity of three thousand pounds of good sound well condiconed Neate porke and three thousand pounds of good sound well Condiconed Beefe salted in Caske Conveniently upon Kent Island Between the tenth of October and the five and twentieth day of December next Ensueing the date hereof, and produce sufficient testimony that the said Meate did weigh the ffull contents abovesaid before the same was salted & Caskt, Then this obligacon to bee voyd or else to stand in full force W^{ch} being read and heard the said Michael Miller by his said Attorney prayeth liberty to imparle hereunto untill next provincially Court and itt is granted unto him. the same day is given to the plt also

Att w^{ch} said next Provincially Court came the said partyes by there Attornyes aforesaid And the said Michael Miller by his said Attorney saith, that the aforesaid Gerrard Slye his accōn aforesaid

against him ought not to have because hee saith that hee hath performed all & singuler the Clauses Covenants & agreements mentioned & contained in the Condicon of the same Writeing obligatory, and this hee is ready to averre, & thereupon demands Judgment if the said Gerrard his accōn aforesaid against him ought to have

Liber W. C.

And the said Gerrard by his said Attorney saith that the said Micha^l hath not pformed all and singuler the clauses Coven^{ts} & agreem^{ts} menconed and Contained in the Condicon of the Writeing obligatory above mentioned, And this hee desires may bee enquired of by the Country, and the said Michael alsoe Therefore comand was given to the sheriffe of s^t Maryes County that hee cause to come here twelve &c by whome &c and who neither &c to Recognize &c, because aswell &c

Now here att this day to witt the seventeenth day of ffebruary in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1679 Came the said pties by their Attorneys aforesaid, and the Jurors impannelled being called likewise came to Witt, Robert Ellis, William Thomas Henry Exon, James Veitch Thomas Beale, Sam^l Dobson, William Bawdon, Owen Guither, Barnard Johnson, Thomas Allanson Edward Sise and Daniell Clocker who being elected tryed and sworne to say the truth in the premisses upon their Oathes doe say, That the said Michael Miller hath performed all & singuler the Clauses Covenants and agreem^{ts} menconed and Contained in the condicon of the writeing obligatory above mentio^{ed}

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Therefore Itt is considered that the said Gerard Slye take nothing by his writt butt bee in mercy for his ffalse Claime thereupon, And the said Michael Miller may goe thereof wthout day

Timothy Goodridge } John Pitt late of Talbott County was sumoned
ag^t } to answere unto Timothy Goodridge of a plea
John Pitt } that whereas the said John and Timothy together and undivided doe hold to them & their heires a certaine parcell of land called westm^rland scituate in the said County containing by Estimacon foure hundred acres wth the appurtenances, & for that the same remaines together & undevied, that particon may bee made thereof according to Law

And whereupon the said Timothy by Robert Ridgely his Attorney saith that whereas the same John and Timothy together & undevied doe hold to them and their heirs a certaine parcell of Land called Westmerland scituate in the said County on the north side of Chaptanke River, at the head of the northeast branch of Tredavon Creeke, Begining att a marked White Oake standing on the west side of a Cove neare to the marked tree of the Land fformely laid out for Thomas Maning called Exchange & runing for Length east north east by Manings Line, three hundred and twenty perches, Bounded on the east by a Lyne drawne south east one hundred

Liber W. C. perches, and by a Line drawne south south west from the end of the south east Line two hundred and twenty perches to a marked Oake by a Runn & by a Line drawne east south east ffrom the said Oake by the Runn three hundred and twenty perches to a marked Oake On the south by a Line drawne west south west from the said Oake One hundred perches to a marked Oake on the west by a line drawne north north east from the last mentioned Oake, three hundred and twenty perches unto a marked white Oake, and ffrom the last named white Oake One hundred perches Drawne north north west unto the first marked Oake by Manings Line on the north by Manings Line Containing by Estimacon ffoure hundred acres more or lesse, wth the appurtenances, And that unto the said Timothy
 p. 137 belongeth one moyety of the parcell of Land aforesaid with the appurtenances, and unto the said John belongeth the other moyety thereof wth the appurtenances each to hold the moyety aforesaid in seaveralty, soe that the said Timothy of the One moyety thereof wth the appurtenances may appropriate himselfe the same John particon thereof between them to bee made according to Law gainsayeth and unjustly will not suffer the same to bee done, Whereupon the said Timothy sayth hee is the worse and hath damage to the vallue of twenty thousand pounds of tobacco and thereupon hee produceth his suite

And the said John Pitt by Charles Boteler his Attorney Cometh & defende[th] the fforce and Injury when &c and prayeth Libertie to imparle hereunto untill next provincially Court and itt is Granted unto him, the same da[y] is given to the plt alsoe

Now here att this day to witt the Eighteenth day of ffebruary in the ffifth yeare of the Dominion of Charles Lord Baltemore &c Annoq Dominj 1679 Came the said parties by theire Attorneys aforesaid And the said John Pitt by his said Attorney saith nothing why particon of the Lands aforesaid should not bee made, Therefore itt is Considered, that a particon of the aforesaid ffoure hundred acres of Land called Westmerland bee made according to Law, and that his Lordshipps Writt of particōn issue fforth of this Court to bee Directed to the sheriffe of Talbott County where the aforesaid parcell of land lyeth, thereby comanding & imp[ow]ering him to make particon thereof accordingly Returneable to the next provincially Court

Robert Ridgely	} attached to answe unto Robert Ridgely gentl one
ag ^t	
George Oldfeild	} of the Attorneys of this Court according to the

liberties and privilidges to such like Attorney and other officers of the said Court & allowed of a plea of trespas upon the case

And whereupon the said Robert Ridgely in his pp pson complaineth, that whereas the said George Oldfeild between the ffirst

day of July in the yeare of our Lord 1677 and the tenth day of May 1679 stood indebted to the said Robert for Tobacco paid for the account & by the order of the said George, & goods sould and delivered by the said George, & ffor Attorneys ffees in seaverall Causes in the said Court, the sume of Eight thousand seaven hundred pounds of tobacco, a pticuler of w^{ch} tobaccoes paid, and goods sould and of the seav^{ll} accons the said Robert was Attorney in ffor the said George, is by the said Robert herein Court produced, In consideracon the said George did assume upon himselfe & to the said Robert did ffaithfully promisse, that hee the said George, the Said Robert the said sume of Eight thousand seaven hundred pounds of tobacco to him the said Rober[t] when thereunto Required would well and truly content and pay, And although the said George him the said Robert, Eighteen hundred pound pounds [*sic*] of tobacco part of the said Eight thousand seaven hundred pounds of tobacco hath paid, Yet as to six thousand nine hundred pounds of tobacco Residue of the said Eight thousand seaven hundred pounds of tobacco hee the said George his pomisse & assumption soe as aforesaid made not Regarding but deviseing and fraudulently intending him the said Robert of the said six thousand nine hundred pounds of tobacco to deceive & defraude, the said six thousand nine hundred pounds of tobacco to him the said Robert although often thereunto Required according to his promise hath not paid, but the same to pay hath denied and as yet doth denye to the Damage of the said Robert Tenn Thousand pounds of Tobacco, & thereupon hee bringeth his suite

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And the said George Oldfeild by Kenelme Cheseldyne his Attorney cometh and defendeth the fforce and injury when &c, & prayeth liberty to imparle hereunto untill next provincially Court and itt is granted unto him, the same day is given to the p^lt also

Now here att this day (to witt) the eighteenth day of ffebruary in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1679 came the said Robert Ridgely in his pp pson as aforesaid and Offered himselfe against the said George Oldfeild in the plea aforesaid but the said George Oldfeild came not but made Default, Therefore Itt is considered that the said Robert Ridgely Recover against the said George Oldfeild aswell the sume of six thousand nine hundred pounds of tobacco debt aforesaid, as also six hundred and Eleaven pounds of Tobacco costs of suite, And the Defend^t in mercy &c

ffeb^{ry} 13th 1679

Allowed unto W^m Wrought, John Smith, Jn^o Bowling George Lingham, Samuel Copland, W^m Hale, Sam^l Taillor, Peter Archer, Ann Chittam & Margaret Harborowe, for comeing going & attendance to testifie for Richard Marsham ag^t W^m Collins, to each of them two hundred & forty pounds of tobacco.

Liber W. C. ffeb^{ry} 19th 1679

Allowed unto John Stanley of Talbot County for comeing going & attendance to testifie for John Richardson att the suite of W^m Dare foure hundred & Eighty pounds of tobacco

ffeb^{ry} 17th 1679

Allowed unto Matthew Smith of Talbot County for comeing going & attendance to testifie for Edward Leach ag^t Robert Murphy foure hundred & fifty pounds of tobacco

ffeb^{ry} 14th 1679

Allowed unto Michael Higgins of Calvert County for comeing goeing & attendance to testifie for W^m Harris att the suite of John Darnall two hundred & forty p^{ds} of tobacco

p. 139 ffebruary 17th 1679

Allowed unto Herman Norton of Charles County for comeing going & attendance to testifie for John Hartwell against John Bouchier three hundred & sixty pounds of tobacco

ffeb^{ry} 12th 1679

Came the Hon^{ble} Benj^a Rozer Esq^r & acknowledged satisfaction to a judgm^t obtained by him in Octob^r Court last against Tho: Allanson for tenn thousand nine hundred thirty four pounds of tobacco debt And five hundred fifty two pounds of tobacco costs of suite

ffeb^{ry} 13th 1679

Then was W^m Wells remanded to the Sheriffe of Charles County, there to remaine in safe & secure custody, until he shall satisfie & pay a judgm^t obtained against him by Abraham Blagg for twenty thousand & sixty pounds of tobacco debt, & fue hundred thirty six pounds of tobacco costs of suite, in Octob^r Court last

ffeb^{ry} 13th 1679

James Bennett & W ^m Dowlbury ag ^t Tho: Tailor	}	The Defend ^t by Robert Ridgely his Attorney alleadged to this Court, that the p ^{ts} are forreign-ers, & therefore requested that they might giue security to pay unto the Defend ^t costs of suite, if the aforesaid p ^{ts} shall happen to be Nonsuited or cast therein. whereupon came Kenelm Chesldyn Attorney for the p ^{ts} & did acknowled[ge] that if the aforesaid p ^{ts} shall happen to be Nonsuited or cast in this cause, & shall not pay unto the Defend ^t such costs of suite as shall be allowed unto him by this Court, that then he the said Kenelm Cheseldyn will satisfie & pay the same
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ffebry 14th 1679

Came Thomas Doxey of S^t Maryes County & made Oath, that his Servant Katherine Canneday rann away & unlawfully absented

herselfe from his service att severall tymes One hundred & seven dayes, whereupon itt is ordered that she the said Katherine serve the said Thoma[s] for runing away from him as aforesaid tenn dayes for every one dayes absence according to Act of Assembly in that case made & provided, which amounts unto One thousand & seventy dayes

Liber W. C.

February 18th 1679

Came John Lewellin & acknowledged satisfaction to a judgem^t obtained by him against John Blomfield the Eleventh day of March Anno Doni 1678 for Eighteene hundred thirty eight pounds of tobacco debt, & five hundred & Sixty pounds of tobacco costs of suite

February 17th 1679

Then were these following bonds delivered up in open Court by Gerard Slye Adm^r of the Goods & Chattles of Richard Chillman deceased & Michael Miller, & Cancelled by the Hon^{ble} Philip Calvert Esq^r by consent of the said Gerard Slye & Michael Miller. Viz^t one bond of twenty foure thousand pounds of tobacco bearing date the twenty Seventh day of February Anno Doni 1677 with a Condi^coⁿ there under written, passed by the said Michael Miller to the said Richard Chillman. Also one bond of twenty foure thousand eight hundred pounds of tobacco bearing date the twenty seventh day of February Anno Doni 1677, with a Condition there under written, passed by the said Richard Chillman to the said Michael Miller

p. 140

Tho: Clayborne	}	Edward Barrowcliffe late of Talbot County
ag ^t		was Attached to Answer unto Thomas Clay-
Edw ^d Barrowcliffe		borne of a plea of trespas of the case

And whereupon the said Thomas Clayborne by Robert Carville his Attorney saith, that the said Edward Barrowcliffe haveing bin formerly employed by the said Tho: Clayborne as chiefe workman in the building of a Mill, upon Cohoke Creeke in Permonky neck in the Colony of Virginia, which not being quite finished, he the said Edward did upon the two & twentieth day of May one thousand six hundred seventy eight, in consideration that the said Thomas Clayborne would satisfie & pay unto the said Edward all his then demands for the finishing of the said worke in & about the said Mill, he the said Edward did then att Cohoke Creek in Permonkey neck aforesaid assume upon himselfe & to the said Thomas faithfully promise, that he the said Edward would att his own proper costs & charges compleat make & finish one able substantiall strong cogg wheel & trunnell heads of good seasoned white oak timber for the biggest paire of stones belonging to Cohoke

Liber W. C. Mill aforesaid workman like before the last day of Septemb^r next, & to cause the said Mill to goe well stedily & substantially without fault as should be adjudged by sufficient workmen And the said Thomas in fact saith, that he did make unto the said Edward full satisfaction for the performance of the said worke & for all his demands for compleating thereof yet notwthstanding the said Edward his promise & assumption aforesaid little regarding, but devising how to defraud the said Thomas in this behalfe, the said Cogg-wheel hath not made, nor the trunnell heads aforesaid, nor the said Mill hath finished according to his assumption aforesaid, but the same hath left undone, to the damage of the said Thomas tenn thousand pounds of tobacco, & thereupon he bringeth his suite.

And the said Edward by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and informed the Court that the p^t is a fforeigner, and therefore requested that he might giue security to pay unto the Defend^t costs of suite, If the aforesaid p^t shall happen to be Nonsuited or cast therein: which the Defend^t p^{rs} Attorney refusing to give Therefore itt is considered by the Court here this day to witt the Eleventh day of ffeb^r in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Anoq^o Doni 1679 that the said Thomas Clayborne take nothing by his writt, but be in mercy for his false clayme thereupon, And the said Edward may goe thereof without day And also that the said Edward Barrowcliffe recover against the said Tho: Clayborne the Summe of seven hundred pounds of tobacco for his costs and charges by him about his Defence in this behalfe laid out & expended And the said Edward may have thereof Execu^{co}n

p. 141

Roger Baker	}	The jurors in this cause upon their Oaths doe say, that if this Court shall judge the receipt to be a good receipt, then they finde for the p ^t But if this Court shall judge the receipt to be no good receipt, then they finde for the Defend ^t And because the Justices here will advise themselves of & upon the Verdict aforesaid before they giue judgm ^t thereupon, day thereof is given to the parties aforesaid untill the morrow following. On which day to witt the Seventeenth day of ffebruary in the yeare aforesaid cometh as well the said p ^t as the said Defend ^t by their Attorneys aforesaid And hereupon the receipt aforesaid of the said Defend ^t being seen, itt seemeth to the same Justices here, that the same receipt is a good receipt And the said Michael by his Attorney aforesaid moved in Arrest of judgm ^t day is thereupon given to both parties untill next Provintiall Court
ag ^t Mich ^l Higgins		

W ^m Calvert Esq ^r	}	The Defend ^t not appearing this Court to Answer the p ^{rs} action, John Stanesby Sheriffe of Baltemore County is amerced forty shillings
ag ^t Tho: Long		

John Broome
ag^t
ffrancis Emberson } This action is agreed.

Liber W. C.

Marke Cordea
ag^t
Richard Attwood } The jury finding for the p^t in this cause, the
Defend^t by Kenelm Cheseldyn his Attorney
moved in Arrest of judgm^t whereupon day is
given to both parties untill next Court

Gabriel Deane &
Stephen Watts
ag^t
John Sanders } Comānd was given to the Coroner of Charles
County, that he should Attach any the Goods or
Chattles of John Sanders, if they should be found
in his bailywick to the Value of twenty thousand
pounds of tobacco And when he had the same so
Attached or any part thereof, the same in his custody to keepe untill
the said John Sanders should by himselfe or his Attorney appeare
here the tenth day of ffebruary in the fifth yeare of the Dominion of
the right Hon^{ble} Charles Lord Baltemore &c Annoq Doni 1679 to
Answer unto Gabriel Deane & Stephen Watts in a plea that he render
unto them Seventy three thousand five hundred ninety two pounds of
tobacco which to them he oweth & unjustly detaineth On which said
tenth day of ffebruary Humphrey Warren Coroner made returne
of the writt aforesaid, that by vertue thereof he hath Attached in
the hands of M^r W^m Chandler high Sheriffe of the County aforesaid
the Sume of twenty thousand pounds of tobacco, if in the said
Chandlers hands.

Gabriel Deane &
Stephen Watts
ag^t
John Sanders } Comānd was given to the Sheriffe of Charles
County, that he should Attach any the goods or
Chattles of John Sanders, if they should be found
in his bailywick to the Value of Seventy three thou-
sand five hundred ninety two pounds of tobacco,

And when he had the same so Attached or any part thereof the same
in his custody to keep, untill the said John Sanders should by him-
selfe or his Attorney appeare here the tenth day of ffebruary in the
ffifth yeare of the Dominion of the right Hon^{ble} Charles Lord Balte-
more &c Annoq Dni 1679 to Answer unto Gabriel Deane & Stephen
Watts in a plea that he render unto them seventy three thousand
five hundred ninety two pounds of tobacco which to them he oweth
& unjustly detaineth On which said tenth day of ffebruary W^m
Chandler Sheriffe of the County aforesaid made returne of the writt
aforesaid that by Vertue thereof he hath Attached in the hands of
Michael Webb thirteen hundred forty & three pounds of tobacco, in
hands of W^m Wells two thousand six hundred seventy & seven
pounds of tobacco, in the hands of George Govers foure thousand
two hundred & Eighty pounds of tobacco, in the hands of Rand^o

p. 142

Liber W. C. Brandt one thousand seventy foure p^{ds} of tobacco, in the hands of Cleborne Lomax thirteen hundred sixty & five pounds of tobacco, in the hands of Kenelm Mackloughlin six hundred forty & six pounds of tobacco, in the hands of John Martin three thousand one hundred ninety five pounds of tobacco, in the hands of John Bracher six thousand pounds of tobacco, & in the hands of Tho: Allanson seven hundred pounds of tobacco, if in the said parties hands

Robert Ridgely } Com^{and} was given to the Sheriffe of Charles
ag^t } County, that he should Attach any the Goods or
John Sanders } Chattles of John Sanders if they should be found
in his bailywick, to the Value of foure thousand
sixty eight pounds of tobacco, & when he had the same so Attached
or any part thereof, the same in his custody to keep, untill the said
John Sanders should by himselfe or his Attorney appeare here the
tenth day of ffebruary in the fifth yeare of the Dominion of the
right Hon^{bl} Charles Lord Baltemore &c A^{no}q Domini 1679 to
Answer unto Robert Ridgely in a plea of trespas upon the case.
On which said tenth day of ffebruary W^m Chandler Sheriffe of
the County aforesaid made returne of the writt aforesaid, that by
vertue thereof he hath Attached in the hands of ffrancis Wyne
foure thousand sixty eight pounds of tobacco.

And the said Robert Ridgely made Oath in open Court, that the
said John Sanders is justly indebted unto him the s^{um}e of three
thousand two hundred p^{ds} of tobacco And that he never received
any part or pcell thereof

John Bawdon } Com^{and} was given to the Sheriff of S^t Maryes
ag^t } County, that he should take John Quigley otherwise
John Quigley } called Cap^t John Quigley of the Province of Mary-
land in America M^{ch}ant if he should be found in
his bailywick, & him safe keepe so that he haue his body here the
tenth day of ffeb^{ry} in the fifth yeare of the Dominion of the right
Hon^{ble} Charles Lord Baltemore &c Annoq Doni 1679 to answer unto
John Bawdon of London M^{ch}ant in a plea that he render unto him
the s^{um}e of One thousand fve hundred pounds of lawfull money of
England which to him he owes & unjustly detaines. On which said
tenth day of ffebruary Major W^m Boarman Sheriffe of the County
aforesaid made returne of the writt aforesaid in these words Viz^t
Cæpi Corpus &c

p.143 John Bawdon } Com^{and} was given to the Sheriffe of S^t Maryes
ag^t } County, that he should take John Quigley of Mary-
John Quigley } land M^{ch}ant, if he should be found in his bailywick,
& him safe keep, so that he have his body here the
tenth day of ffebruary in the fifth yeare of the Dominion of the
right Hon^{ble} Charles Lord Baltemore &c Annoq Doni 1679 to An-

swer unto John Bawdon of London M^rchant in a plea that he render unto him his reasonable account for the tyme he was receiver of the Servants and M^rchandizes of the said John Bawden & which to him to render he ought On which said tenth day of ffebruary Major W^m Boarman Sheriffe of the County aforesaid made returne of the writt aforesaid in these words Viz^t Cæpi Corpus & Liber W. C.

Jn^o & Thomas } Co^mand was given to the Sheriffe of Som^rsett
Dudlestone } County, that he should take Theophilus Turford
ag^t } late of Som^rsett County M^rchant, if he should be
Theo: Turford } found in his bailywick, & him safe keep so that he
have his body here the tenth day of ffeb^{ry} in the
fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq^{ue} Doni, 1679 to Answer unto John Dudlestone & Thomas Dudlestone of the Citty of Bristoll in the Kingdome of England M^rchants, of a plea that he render unto them his reasonable accompt of the tyme that he was receiver of the Goods M^rchandizes & tobacco of them the said John & Thomas Dudlestone, & which to them to make justly he ought. On which said tenth day of ffebruary John White Sheriffe of the County aforesaid made returne of the writt aforesaid in these words Viz^t Non est inventus, whereupon the said John & Thomas by Robert Ridgely their Attorney pray an Attachm^t against the goods Chattles & debts of the said Theophilus Turford according to Act of Assembly in that case made & provided And itt is granted by the Court here

Ken: Cheseldyn } Co^mand was given to the Sheriffe of S^t Maryes
ag^t } County that he should Attach any the Goods or
Oliver Davis } Chattles of Oliver Davis, if they should be found
in his bailywick to the Value of five thousand
pounds of tobacco. And when he had the same so Attached or any part thereof, the same in his custody keep untill the said Oliver Davis should by himselfe or his Attorney appeare here the tenth day of ffebruary in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq^{ue} Doni 1679 to Answer unto Kenelm Cheseldyn in a plea of Covenant. On which said tenth day of ffebruary Major W^m Boarman Sheriffe of the County aforesaid made returne of the writt aforesaid, that he hath Attached three hundred pounds of tobacco of the goods of Oliver Davis

John Anderson } The Defend^t by Kenelm Cheseldyn his Attorney
ag^t } appeares & imparles untill next Court
Stephen Murty }

Marke Cordea } The Defend^t by Christopher Rousby his Attorney
ag^t } appeares & imparles untill next Court.
W^m Willoughby }

p. 144 John England } Comānd was given to the Sheriffe of Talbot County,
ag^t } that he take John Tench late of Talbot County Mar-
John Tench } ryner if he should be found in his bailywick, &
him safe keep so that he haue his body here the tenth
day of ffebruary ~~next~~ in the fifth yeare of the Dominion of the right
Hon^{ble} Charles Lord Baltemore &c Annoq; Doni 1679 to Answer
unto John England of a plea of trespas upon the case. On which
said tenth day of ffebruary Thomas Vaughan Sheriffe of the County
aforesaid made returne of the writt aforesaid Viz^t Abscondit. where-
upon came the said John England by Robert Ridgely his Attorney,
& prayed an Attachm^t against the goods Chattles & debts of the said
John Tench according to Act of Assembly in that case made & pro-
vided And itt is granted by the Court here.

Christopher Rousby } Comand was given to the Sheriffe of Calvert
ag^t } County, that he take Theophilus Turford late
Theophil^s Turford } of the County aforesaid otherwise called Theophilus Turford of Calvert County M^rchant,
if he should be found in his bailywick, & him safe keep. so that he
have his body here the tenth day of ffebruary in the fifth yeare of
the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq
Doni 1679 to Answer unto Christopher Rousby gentl one of the
Attorneys of this Court according to the liberties & priviledges al
lowed &c in a plea that he render unto him the sume of tenn pounds
of sterling money of England which to him he oweth & unjustly
detaineth, On which said tenth day of ffebruary Cap^t Richard Ladd
Sheriffe of the County aforesaid made returne of the writt afore-
said, that the said Theophilus Turford is not to be found within
his bailywick whereupon the said Chr Rousby prayed an Attachm^t
against the Goods Chattles & debts of the said Theophilus according
to Act of Assembly in that case made & provided, & itt is granted by
the Court here

Christopher Rousby } Comand was giuen to the Sheriffe of Calvert
ag^t } County, that he take Theophilus Turford late
Theophil^s Turford } of Calvert County, otherwise called Theophilus
Turford of Calvert County in the Province of Maryland M^cchant, if he should be found in his bailywick, & him safe keep, so that he have his body here the tenth day of ffebruary in the fifth year of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq3 Doni 1679 to Answer unto Christopher Rousby gent one of the Attorneys of this Court according to the liberties & priuiledges allowed &c in a plea that he render unto him

the just quantity of foure hundred pounds of good sound M^cchant-
able tobacco in caske which to him he oweth for Attorneys ffees in Liber W. C.
this Court, & from him unjustly detaineth On which said tenth day
of ffebruary Cap^t Richard Ladd Sheriffe of the County aforesaid
made returne of the writt aforesaid, that the said Theophilus Tur-
ford is not to be found within his bailywick. whereupon the said
Christopher Rousby prayed an Attachm^t against the goods Chattles
& debts of the said Theophilus Turford according to Act of Assem-
bly in that case made & provided, & itt is granted by the Court here

Chr Rousby	}	Comand was given to the sheriffe of Calvert County p. 145 that he take Jarvis Ballard late of the County afore- said M ^c chant, if he should be found in his bailywick, & him safe keep, so that he haue his body here the tenth day of ffebruary in the fifth yeare of the Dominion of the right Hon ^{ble} Charles Lord Baltemore &c Annoq ³ Doni 1679 to Answer unto Christopher Rousby gentl one of the Attorneys of this Court according to the liberties & priuiledges allowed &c in a plea of trespas upon the case. On which said tenth day of ffeb ^{ry} Cap ^t Richard Ladd Sheriffe of the County aforesaid made returne of the writt aforesaid, that the said Jarvis Ballard is not found within his bailywick whereupon the said Christopher prayed an Attachm ^t against the Goods Chattles & debts of the said Jarvis Ballard accord- ing to Act of Assembly in that case made & provided And itt is granted by the Court here
ag ^t Jarvis Ballard		

Robert Carvile	}	Comand was given to the Sheriffe of Calvert County, that he take Theophilus Turford, if he should be found in his bailywick & him safe keep, so that he haue his body here the tenth day of ffebruary in the fifth yeare of the Dominion of the right Hon ^{ble} Charles Lord Baltemore &c Annoq ³ Doni 1679 to Answer unto Robert Carvile gentl one of the Attorneys of this Court according to the liberties & priuiledges allowed &c of a plea that he render unto him Sixteen hundred pounds of tobacco which to him he oweth & unjustly detaineth. On which said tenth day of ffebruary Cap ^t Richard Ladd Sheriffe of the County aforesaid made returne of the writt aforesaid, that the said Theophilus Turford is not found within his bailywick whereupon the said Robert prayed an Attachm ^t against the goods Chattles & debts of the said Theophilus Turford according to Act of Assembly in that case made & provided, & itt is granted by the Court here
ag ^t Theo: Turford		

Proprietary	}	The Sheriffe of Charles County haveing returned a Cepi in this cause, the same is continued untill next Court
ag ^t Sam ^l Raspin		

Baltimore afterwards to witt att a Provinciaall Court holden att the Citty of S^t Maryes the fourth day of March One thousand six hundred seventy eight, by his writt of debt for the said twenty one thousand seven hundred twenty & two pounds of tobacco impleaded the same John Addison, whereupon in the same Court itt was proceeded, that the same Charles Lord Baltimore recovered against the same John Addison as well the said twenty one thousand seven hundred twenty & two pounds of tobacco debt aforesaid As also the sume of five hundred & sixty pounds of tobacco costs of suite, by force of which recovery the same Jn^o Addison as well the same twenty one thousand seven hundred twenty & two pounds of tobacco for debt As also the sume of five hundred & sixty pounds of tobacco for costs of suite in forme aforesaid recovered to the said Charles Lord Baltimore the twelfth day of March in the yeare aforesaid paid. Notwithstanding which the same Marke Cordea though often requested the same John Addison against the same Charles Lord Baltimore of the same twenty one thousand Seven hundred twenty & two pounds of tobacco whereof he putt himselfe pledge against the same Charles Lord Baltimore for the same Marke hath not acquitted, but him to acquitt gainsayed And the same Marke him thereof to acquitt hitherto gainsaith whereupon the said John Addison saith he is the worse & hath damage to the Value of thirty thousand pounds of tobacco, & thereupon he bringeth his suite.

And the said Marke Cordea by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the pth also. p. 147

Now here att this day to witt the nineteenth day of ffeb^{ry} in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltimore &c Annoq^{ue} Doni 1679 came the said John Addison by his Attorney aforesaid, & offered himselfe against the said Marke Cordea in the plea aforesaid, but the said Marke came not but made default Therefore itt is considered, that the said John Addison recover against the said Marke Cordea as well the aforesaid Sume of twenty one thousand seven hundred twenty & two pounds of tobacco As also five hundred seventy six pounds of tobacco costs of suite And the Defend^t in mercy &

Benjamin Nesham Lessee of	} in Ejectm ^t	William Layton late of
Robert Ridgely		Somerset County Taylor
ag ^t		was attached to answere
William Layton		unto Benjamin Nesham
		of a plea wherefore by

force and Armes, one Messuage called Little Belleau of Twelve hundred Acres of Land in the County aforesaid, and w^{ch} Robert Ridgely of s^t Maryes County gentl^l to the said Benjamin Demised for a Terme not yet past did Enter, and him from his ffarme afore-

Liber W. C. said Did Eject and other Enormities to him did doe to the greate Damage of him the said Benjamin and Contrary to the peace of the Lord Proprietary &c.

And Whereupon the said Benjamin by Christopher Rousby his Attorney Complayneth, that whereas the said Robert Ridgely the first day of July in the third yeare of the Dominion of Charles &c at somersett County aforesaid had demised to the said Benjamin the said Messuage called Little Belleau wth the appurtenances scituate lyeing and being on the East side of Chesepeake bay on the south side of Tomactico River in somersett County aforesaid. Bounded as followeth, Begining at a marked small white oake standing on the northeast side of a small Gutt neare the side of the aforesaid River, Thence wth a line drawne north east one hundred seaventy one perches up the side of the aforesaid River, Thence wth a line drawne south east Twenty pches, thence wth a Line Drawne north east sixty pches thence wth a Line drawne north fifty perches, thence wth a line drawne north east one hundred and five perches to a marked greate Pyne standing neare the side of the said River, above Little Tomactico on the south side of a small Gutt, thence wth a Line drawne south east unto the woods for length five hundred Thirty foure perches to a marked Gum standing by a swampe side neare the head of Little Tomactico, Thence wth a Line Drawne south west Three hundred seaventy two perches, and from thence wth a Right Line drawne to the first bounder Containing by Estimation Twelve hundred Acres or thereabouts To have and to hold unto the said Benjamin and his assignes from the feast of st Michael the Archangell now last past to the end and terme of Two yeares from thence next Ensueing and fully to bee Compleate and Ended, By vertue of w^{ch} Demise the said Benjamin into the Tenem^{ts} aforesaid wth the appurtenances entred and was thereof possessed, and soe thereof being possessed the said William afterwards To witt the first day
p. 148 of December then next following into the Tenements aforesaid wth the appurtenances, w^{ch} the said Robert Ridgely To the said Benjamin in forme aforesaid did Demise for the terme aforesaid w^{ch} is not yet past did Enter, and him from his ffarm aforesaid Did Eject, and other Enormities to him did doe, to the greate damage of him the said Benjamin and against the peace &c whereupon hee saith hee is the worse and hath Damage to the vullue of Tenn thousand pounds of tobacco & thereupon hee bringeth his suite

And the said William Layton by Kenelme Cheseldyne his Attorney Cometh and Defendeth the fforce and injury when &c and saith that hee is in noe wise guilty of the Trespas and Ejectm^t aforesaid above supposed to bee done, and of this he puts him selfe upon the Country, and the p^t likewise,

This cause this day to witt the thirteenth day of October in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq Dominj 1679 standing at issue, the p^{te} his Attorney Christopher

Rousby offered himself against the Def^t of and upon the p^rmisses, Liber W. C. and prayed a venire facias to the Sheriffe to bee directed to Cause to come twelve &c, the said Def^t by Kenelme Cheseldyne his Attorney alleadged, that in obedience to the Rule of the Court hee had put in his plea that advantage might not in strictnesse bee taken against him for his Lachesse, but Craved a Jury of y^e Neighbourhood wth a surveyo^r upon the Land, but the p^lt opposed the same and informed the Court that the land in Question was bounded by Edward southerne und^r whome the Def^t Claymes, July the 5th 1669 upon a pcell of land called Hogsdowne and then surveyed for the said southerne, Cont^a foure hundred and fifty Acres, and produces the Certificate of the said parcell of land from the Record to the Court here Duely attested, by w^{ch} it did appeare to the Court that the said parcell of land called Hogsdowne surveyed for the said southerne the first of July 1669 did Joyne to a pcell of land taken up by M^r Stephen Horsey called Horseys Baliwick w^{ch} is the Lland claymed by the p^lt, the said p^lt did informe the Court that the land claymed by the deft called alsoe Horseys Baliwick Containing Two hundred and fifty Acres was surveyed by the s^d Edw^d Southerne the Eighteenth of November 1672 and pduced the Certificate thereof duely attested to the Court, and that the said Two hundred & fifty Acres lay between Horseys Horseys Baliwick taken up by stephen Horsey, and now Claymed by the p^lt and Hogsdowne taken up in 1669 by the said southerne, and by him sould to one Gerrard in Virginia, and now in the posession of one Gerrard & Hill, That the said Two hundred & fifty Acres of land Claymed by the said Def^t surveyed by a Comon Warr^t and taken up of lands formerly surveyed, and lay betweene the said plts land called Horseys Baliwick surveyed by stephen Horsey & Hogsdowne and therefore the said Survey was Voyd, and the Grant thereof being pattent upon pattent wthout recitall of the first suruptitiously obtained, and could not nor ought not to prejudice the said p^lt; The said p^lt objected against any Jury upon the land, for that the matter ought to be Tryed by a Jury at Barre hee haveing nothing but Record for his Evidence agt w^{ch} there can be noe Averrment, but the said Def^t Craveing a Resurvey of Horseys Baliwick formerly surveyed by stephen Horsey, The Court thought fitt at the Def^{ts} request to order that the same bee laid out according to the Ancient bounds thereof by the surveyo^r of Som^rsett County who is hereby appointed impowered & Comanded to Lay out the same in the presence of the sheriffe of the said County, who is hereby Comanded and impowered to sumon a Jury of the Neighbourhood, Provided that the said surveyo^r and Jury cause the said land called Horseys baliwick surveyed for the said stephen Horsey, and the said parcell of land Called Hogsdowne Surveyed in 1669 for the said southerne, to Joyne one to another and that they returne a Certificate of theire proceedings herein to the Court here on the

Liber W. C. Tenth day of february next und^r the hand and seale of the surveyo^r, sheriffe and Jurors aforesaid That soe his Lopps Justices being fully Informed of the truth of the p^rmisses may Doe herein as to Justice apptaines

Now here att this day to witt the nineteenth day of february in the fifth yeare of the Dominion of Charles Lord Baltemore &c Annoq Doñ 1679 came the said pties by theire Attorneys aforesaid, and the said William Layton by his said Attorney saith that hee hath nothing to say in barre or avoydance of the action aforesaid of him the said Benjamin Nesham, Therefore it is Considrd that the said Benjamin Nesham as Lessee of the said Rob^t Ridgely may Recov^r against the the said William Layton his Terme aforesaid (of and in the messuage land and p^rmisses aforesaid wth the appurtenances) Yet to Come and unexpired, as alsoe Seven hundred pounds of Tobacco Costs of suite, And hereupon the said Benjamin Nesham by his Attorney aforesaid prayeth his Lo^{pps} Writt to the sheriffe of the County aforesaid to bee directed, to Cause him to have his possession of his Terme aforesaid yet to come of and with messuage of Twelve hundred Acres of land aforesaid wth the appurtenances, and to him Itt is granted Returneable at the next Provinciaall Court

Maryland ss:

Whereas Robert Ridgely of st Maryes County gentl, Lessor of Benj^a Nesham hath comenced an action of Ejectm^t agt me in the provinciaall Court for a pcell of land called Little Belleau, pcell of a Tract of land called Horsleys Baliwick formerly surveyed for steven Horsey in Wicocomico River in Somersett County, and for that Edward southerne that sold the said Ridgely the said Land, also sold unto one John Dormond a pattent of a parcell of land called Horsely's Baliwick containing Two hundred and fifty Acres w^{ch} I have purchased of Thomas Hobbs the assignee of the said Dorman, w^{ch} s^d pcell of land being a latter survey proves to bee wthin the bounds of the said Ridgelys Land upon w^{ch} hee brought his said Ejectment, These are therefore to Impower you to acknowledge Judgm^t to the said Ridgely in my name to the said acc^{on}, and for soe doing this shall bee your Warrant Witnesse my hand & seale the third day of January in the yeare of our Lord 1679

The marke of

W^m 7 Layton (sealed)

To Kenelme Cheseldyne Esqr Attorney Gen^{all}
Charles Boteler, Nehemiah Blackiston & Henry Bonner }
gentl. Attorneys of y^e prov^{all} Court or any of them }

on the back side of the foregoing Warr^t of Attorney was
thus written viz

The wthin menconed was signed Sealed and
delivrd in p^rsence of vs:

Joseph Sherley
Martin Curtis

Liber W. C. Thomas Lomax

ag^t

Gerrard Slye

} In Ejectm^t} It is ordered by the Consent of Robert Carville
Attorney for y^e p^{lt} and Christopher Rousby At-

p. 151 } torney for the def^t Gerrard slye, that the said Gerrard Slye should
bee Admitted def^t, & that hee forthwith appeare and Receive a decla-
facon and plead to it the Gen^{ll} issue, and at the tryall to bee there-
upon had the said Gerrard Slye shall appeare in his prop^{son}, or
by his Attorney and shall Confesse Lease Entry and Ejectment, or
that in default thereof Judgm^t shall be Entred ag^t the said James
Greene Casuall Ejecto^r, but all further prosecucōn shall cease, ag^t
him, untill the said Gerrard Slye shall make default in any of the
promisses, And itt is further ordered by the Court by the Consent
aforesaid that the said Gerrard Slye shall not take any Advantage
ag^t the p^{lt} for not prosecuteing upon the Tryall occasioned by such
default but that the said Gerrard slye shall pay to the p^{lt} the Costs
by this Court to bee taxed in this Cause, And itt is further ordered
that the Lessor to the p^{lt} shall bee charged wth the paym^t of the Costs
to the Def^t if any bee adjudged to him

Edward Pynn

ag^tJon^a Sibrey

} Comand was given to the Coroner of Cecil County,

} that he take the body of Jonathan Sibrey if he should

} be found in his bailywick, & him safe keep, so that

} he should have his body here the tenth day of ffebru-

uary, in the fifth yeare of the Dominion of the right Hon^{ble} Charles
Lord Baltemore &c Annoq³ Doni 1679 to satisfie unto Edward
Pynn as well the sume of nine thousand p^{ds} of tobacco a certaine
debt for damages recovered against him the said Jonathan in this
Court the seventh day of June Anno Doni 1679 whereof he is con-
victed As also sixteene hundred Eighty foure pounds of tobacco
costs of suite on which said tenth day of ffebruary John James
Coroner of the County aforesaid made returne of the writt aforesaid
that the same writt was duly Executed & the tobacco all ready

Thomas Smithson

ag^t

Richard Covell

} The sheriffe of Calvert County haveing returned

} in this Cause that the Def^t is not to bee found} wthin his Baliwick. The p^{lt} by Robert Carville} his Attorney prayeth an Attachm^t ag^t the goods

and Chattells of the said Deft according to Act of Assembly and
it is granted unto him by the Court here, and thereupon Came the
said Thomas Smithson wth John stanley and Thomas skillington
Of Talbott County his suretyes, And the aforesaid John stanley &
Thomas Skillington Undertooke for the said Thomas Smithson in
the sume of six thousand six hundred pounds of Tobacco to In-
dempnifie this Court ag^t all Accōns suites or other matters that may
happen Touching or Concerning the said Attachm^t and to make Res-
titucōn of the goods to be Received or the Vallue thereof by vertue

of the said Attachm^t in Case the said Richard Covell or his At-
torney shall wthin one yeare and a day Come in and make his Just
and due defence and proceed on in the said Accōn in Comon forme
and make it appeare that the said Thomas smithson is satisfied his
just demands or any part thereof by him the said Richard Covell

Liber W. C.

Att a Provinciaall Court Held att The City of st Maryes the Eleaventh
day of May in the fifth yeare of the Dominion of the Right Hono^{ble}
Charles Lord Baltemore &c Annoq Dominj 1680 And there Con-
tinued untill the Fifteenth day of the same Moneth, On which said
Eleaventh day of May were Present

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The hono ^{ble}	{	Phillip Calvert Esq ^r Chancello ^r	}	Nic: Painter Ct
		Thomas Taillor Esq ^r		
		George Talbott Esq ^r		
		William Digges Esq ^r		

Vincent Lowe Esq ^r	{	John Quigley late of St Maryes County was
ag ^t		attached to answere unto Vincent Lowe Esq ^r
John Quigley		of a plea of Trespasse

And Whereupon the said Vincent Lowe by
Robert Carvile his Attorney saith That whereas att a Court held
for the County of Talbott upon the Twentieth day of March in
the yeare of our Lord one Thousand six hundred Seaventy six.
Honor Sheham sarvant to Richard Gold of the County of Talbott
County aforesaid made oath in open Court That Robert Nicholas
Gott her wth Child. The said Court did order that the said Vincent
Lowe being then high sheriffe of the said County of Talbott should
take the body of the said Robert Nicholas and him safe keepe
untill hee should enter into bond with Sufficient Suretyes to Keepe
the said County of Talbott harmelesse and from charge of the said
Honor Shehams Bastard Child then Laid to him, and alsoe untill
hee should make Richard Gold satisfffaccōn for his Damages, By
vertue of w^{ch} precept or order of Court The said Vincent Lowe
being then sheriffe of the said County of Talbott did Cause the
said Robert Nicholas to bee Arrested and to bee carryed to the
prisson for the County of Talbott & the said Robert being then and
there in Prison and in safe Custody of Edward Wincles late deceased
then one of the Deputyes of the said Vincent Lowe and Keeper of
the Prisson aforesaid, Afterwards to witt the day of
in the yeare of our Lord 1676 the said John Quigley att the Prison
aforesaid in Wye River in Talbott County aforesaid wth force and
Armes upon him the said Edward Wincles made an Assault, and
him beate wounded and evill entreated soe that of his Life it was
despared, and the aforesaid Robert Nicholas from the custody of the
said Edward then and there Rescued, and att large whether hee would

Liber W. C. Suffered him to goe, the said County not Kept harmlesse from
 p. 153 the Charge of the said Honor sheham her Bastard child, nor the
 said Richard Gold satisfied of his Damages, By w^{ch} the said Robert
 Nicholas to place to the said Vincent altogether unknowne did
 wthdrawe himself, and that afterwards the said Robert was not nor
 is not yet found in the said County nor did the said Robert appeare
 or putt in Security to save the County harmlesse or to make the
 said Richard Gold satisfaction for his Damages aforesaid, in Con-
 tempt of his Lopp the Lord Prop^{ty} and to the Damage of the said
 Vincent Tenn thousand pounds of tobacco, and against his Loppes
 Peace Whereupon hee bringeth his suite

And the said John Quigley by Robert Ridgely his Attorney com-
 eth and defendeth the force and Injury when &c and prayeth Lib-
 erty to imparle hereunto untill next provinciall Court. and it is
 granted unto him the same day is given to y^e plantiffe alsoe

Afterwards to witt the seaventeenth day of ffebruary in the ffifth
 yeare of the Dominion of the R^{ty} hono^{ble} Charles Lord Baltemore
 &c Annoq Dominj 1679 Came the said parties by their Attornyes
 aforesaid, and the said Jn^o Quigley by his said Attorney saith that
 hee is in noe wise guilty of the p^rmisses above imposed upon him in
 manner and forme as the said p^t above against him hath Com-
 playned, and of this hee puts himself upon the Country, & the
 p^t alsoe

Therefore Comand is giuen to the sheriffe of st Maryes County
 that hee Cause to Come here twelve &c by whome &c and who
 neither &c. to Recognize &c because aswell &c:

On w^{ch} said Seaventeenth day of ffebruary in the yeare aforesaid
 Came the said parties by their Attorneys aforesaid and the Jurors
 impannelled being called likewise Came. To witt. Thomas Cosden.
 Joseph Tilley. William Thomas. Marmaduke Semme, Sam^{ll} Holds-
 worth, John King. William Husbands, Thomas Sedwicke George
 Holland, Robert Mason, ffrancis Corbett, & James Lewis who being
 elected Tryed and sworne to say the truth in the premisses **Upon
 their oathes Doe say** That the said John Quigley is guilty of the
 p^rmisses above imposed upon him by the said Vincent, and they
 asseesse the Damage of the said Vincent Lowe to Two Thousand
 Eight hundred pounds of Tobacco) Which Verdict of the Jurors
 aforesaid being heard, the Defend^t by his Attorney aforesaid moved
 the Court here in Arrest of Judgment, Day is thereupon given to
 both parties untill next Provinciall Court

Att w^{ch} said next Provinciall Court (to witt) the fifteenth day
 of May in the fifth yeare of the Dominion of the R^{ty} hono^{ble} Charles
 Lord Baltemore &c Annoq Domⁿ 1680 Came the said parties by
 their Attorneys aforesaid, and the said def^t by his said Attorney
 for Reason for arrest of Judgment upon the verdict of the Jurors
 aforesaid. sayth, That the p^t declares agt the Def^t in an Accon of

Trespas for the Rescouē of a Prisoner from the p^{ts} Goaler hee being Lib^r W. C.
 sheriffe of Talbott County and Layes the Rescouē Comitted the
 day of _____ in the yeare of our Lord 1676, The Defend^t pleads
 not guilty and upon that issue taken and verdict for the p^{lt}, The
 Judgment ought to bee Arrested

1st ffor the Incertainty of the Declarācon there being noe time said
 but y^e yeare 1676, and the words (the day of) are words of noe Cer-
 taine signification

2^{dly}: The Act Entituled an Act for limitacon of Certaine Accōns p. 154
 for Avoyding suite att Lawe, does phibit any accon of trespas to
 bee Comenced after Two yeares Expired from such Cause of accōn,
 & the originall writt in this Accon was first sued out the seaventeenth
 day of October 1678 soe that if the trespas were Comitted before
 the seaventeenth day of October 1676. The said Action was barred
 by that Act and therefore the said Judgment ought to bee arrested

And the said Vincent Lowe by his Attorney aforesaid saith That
 the Judgment aforesaid ought not to bee Arrested. for that hee
 saith that in the Declaracon of the said Vincent it is Said. That
 whereas att a Court held for the County of Talbott upon the Twen-
 tieth day of March 1676 Hono^r Sheham sarvant to Richard Gold
 made oath in open Court That Robert Nicholas gott her with Child.
 The said Court did order that the said Vincent being high sheriffe
 of the said County should take the body of the said Robert Nicholas
 and him safe Keepe untill hee should Enter into bond with suffi-
 cient sureties to Keepe the said County harmelesse and from Charge
 of the said Honor Sheehams Bastard Child, then Laid to him, and
 alsoe untill hee should make Richard Gold satisfaccon for his Dam-
 ages, By vertue of w^{ch} p^rcept or Ord^r of Court The said Vincent
 Lowe being then high Sheriffe of the said County did Cause the
 said Robert Nicholas to bee Arrested, and to bee Carryed to the
 prisson for the said County, & the said Robert being then and there
 in prison and in safe Custody of Edward Wincles one of the Depu-
 ties of the said Vincent, Afterwards to witt the _____ day of
 1676 The said John Quigley wth force and Armes &c did Rescue &c:
 Whereby it plainly appeared that after the said Twentieth day of
 March 1676 the said Nicholas was arrested, and after the arrest
 was rescued by the Defend^t w^{ch} was in 1676, and that must bee
 before the five and Twentieth day of March of the same moneth
 of March aforesaid att w^{ch} day the Account of the yeare Ensueing
 1677 begunn soe that the time is said Certaine Enough to foure or
 five dayes, and the said statute of Limitacons Could not barre the
 same, and therefore hee prayes the Judgment aforesaid may be
 Affirmed

W^{ch} being Read heard and Argued, and by the Justices here Un-
 derstood, Itt seemeth to the same Justices that the reasons aforesaid
 are sufficient in Lawe to Arrest the Judgment upon the Verdict of
 The Juro^{rs} aforesaid, Therefore itt is Considered That Judgment

Liber W. C. upon the Verdict of the Juro^{rs} aforesaid bee stopped and Arrested & That the said John Quigley may goe thereof without day

Jn^o Addison and
Marke Cordea
ag^t
Christopher Rousby
Esqr

} Maryland ss:

Memorandum that this Court.
to witt) the tenth day of febr^{ry}
in the ffifth yeare of the Do-
minion of Charles &c Annoq
Dominj 1679, Came Jn^o Addi-
son & Marke Cordea by Robert

Ridgely theire Attorney, and Exhibited to the Court here theire
Certaine bill ag^t Christopher Rousby Esqr one of the Attorneys of
this Court in a plea of Trespas upon the Case

p. 155 And Whereupon the said John and Marke by Robert Ridgely
theire Attorney Complaine That Whereas att a Speciall Court of
Oyer and Terminer held att the Citty of st Maryes y^e eighteenth day
of March in y^e Third yeare of his Lopps Dominion over this Pro-
vince Annoq Dominj 1677 before Robert Carville Walter Hall and
Garret Vansweringen gentl. Justices thereunto Assigned, By vertue
of a Comission issued out of his Lo^{pps} high Court of Chancery
bearing date the fourteenth day of March aforesaid to them and
John Darnall directed, for the hearing and determineing of all
breaches of any Act or Acts of Parliament Relateing to Navigation
or Trade, by Whomesoever or whensoever done perpetrated or Co-
mitted wthin the said Province The said Christopher Rousby Esqr
his Majesties Collecto^r of all the Rates Duties and Imposicōns due
and payable to his said Majestie in Maryland, Who Aswell for our
Soveraigne Lord Charles the second of England Scotland ffrance
and Ireland King Defend^r of the faith &c, and The hono^{ble} Thomas
Notley Esq^r Chiefe Governour of the said Province of Maryland as
for himselfe in that behalfe followed, Came here into Court the said
eighteenth day of March aforesaid in his prop sson and aswell for
the said Lord the King and for the said Governo^r as for himselfe
Exhibited to the said Justices by the said Comission thereunto
Assigned and Authorized, att the speciall Instance request and Sup-
plication of Richard Windall Maryner late Comand^r of the shipp
Liverpoole Marchant, a Certaine Informacōn agt him the said Rich-
ard Windall thereby giving the said Court to understand and bee
informed That Whereas in the statute made in the Parliament of
our said soveraigne Lord the King of England &c in the ffifteenth
yeare of his Raigne att Westminster in the County of Midd^{le} in the
same Kingdome of England Amongst other things it was Enacted
By Authority of the same Parliament, That from and after the
Twenty first day of March 1664 noe Comodity of the growth pro-
duction or manufacture of Europe should be imported into any Land
Island Plantacon or Collony Territory or place to his said Maj^{tie}
belonging or w^{ch} should thereafter belong unto or bee in the poses-

sion of his Majestie his heires and successors, in Asia, Affrica or America (Tanger Excepted, But what shall be Bona fide and wthout fraud Laden and shipped in England Wales or the Towne of Berwick upon Tweed, and in English built shipping, or w^{ch} were Bona fide bought before the first day of October 1662 and had such Certificate thereof as was directed in one Act Entituled an Act for preventing of frauds, and Regulateing Abuses in his Majesties Customs and whereof the Master and three fourths of the maryners att least were English, and w^{ch} should bee Carryed directly thence to the said Lands Islands plantacons Collonyes or Territoryes and places, and from noe other places whatsoever, any Lawe statute or usage to the Contrary Notwithstanding, und^r the penalty of the losse of all such Comodities of the growth production or manufacture of Europe as should bee imported in any of them from any other place whatsoever by Land or by water, and if by water of the shipp or Vessell in w^{ch} they are imported with all her Gunns Tackle furniture Amuntion and apparrell One third part to his said Majestie his heires and successors one third part to the Governo^r of such Land Island plantation Collony Territory or place unto w^{ch} such goods were imported If the said ship vessell or goods bee their seized and informed against and sued for or otherwise, that Third part alsoe to his Maj^{tie} his heires and Successors, and the other third part to him or them who should seize informe and sue for the same in any of his Majesties Courts in such the said Lands Islands Collonyes Plantacons Teritories or places where the offence was Comitted, or in any Court of Record in England by bill informacōn plaint or other accon wherein noe Essoyne protecōn or wager of Lawe should bee Allowed, And further that whereas in the same statute made att the time and place aforesaid Itt was Enacted for the better prevention of ffrauds that from and after the said Twenty first day of March 1664 Every person importing by Land any goods or Comodities whatsoever into any the said Lands Islands Collonyes Territories or places should deliver to the Governo^r of such Land Island plantacon Coffy Terro^{ry} or place or to such person or officer as should bee by him thereunto Authorized and appointed within foure and Twenty houres after such Importacōn his and their names and sirnames, and a true Inventory or pticular of all such goods or Comodities, And noe shipp or Vessell Comeing to any such Land Island plantacon Collony Territory or place should Lade or Unlade any goods or Comodities whatsoever untill the Master or Comander of such shipp or Vessell should first have made Knowne to the Governo^r of such Land Island Plantacon Collony Territory or place or to such person or officer as should bee by him thereunto Authorized and appointed, the arrivall of the said shipp or Vessell wth her name and the name and sirname of her Mast^r or Comander, and had showne to him that she was an English built shipp or made good by producing such Certificate as aforesaid, That she was a shipp or

Liber W. C.

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Liber W. C. Vessell bona fide belonging to England Wales or the Towne of Berwick and Navigated wth an English Master, and three fourths of the Mariners att Least Englishmen, and had delivered to such Governo^r or other person or officer a true and perfect Inventory or Invoice of her Ladeing Together wth the place or places in w^{ch} the said goods were Laden or taken into the said shipp or Vessell, under the paine of the losse of the said shipp or Vessell with all her Gunns Arñuniçon Tackle furniture and apparrell and of such goods of the growth producon manufacture of Europe as were not bona fide taken in and Loaden in England Wales or the Towne of Berwick To bee Recovered and Divided in manner as aforesaid as in the same statute is more fully Contained Notwithstanding w^{ch} the Eighth day of March aforesaid The s^d Richard Windall Master or Comander of the said shipp or Vessell Called y^e Liverpoole Marchant then rideing att Anchor in the River st Georges wthin the County of st Maryes, in the said Province of Maryland wthin the Jurisdicçon of the said Court the said Statute little regarding nor the paines penalties & forfeitures therein fearing, then and there had imported and brought into the said Province in the said shipp or Vessell divers and sundry Comodities of the growth producon and Manufacture of Europe w^{ch} were not really and bona fide shipped Laden or taken in, in England or wales or the Towne of Berwick upon Tweed, but were by the said Richard Windall Shipped or Loaden or taken on board the said shipp or vessell in the Kindome of Ireland, That is to say Eighteene hogsheads of ffrench Wines Called Clarret wth seaverall other Europeàn goods a perticular whereof was thereunto annexed And also the said Richard Windall Master or Comand^r of the said shipp or Vessell did not upon his Entry of

p. 157 the said shipp with y^e officer appointed by the Governo^r for that purpose or att any other time thence since and before breaking of Bulke deliver or Cause to bee delivered to the Governo^r or the said officer by him thereunto authorized and appointed a true and pfect Inventory Invoice or pticuler of the seaverall goods and Comodities of the said shipp Ladeing, Together wth the place or places in w^{ch} the said goods were Laden or taken into the said shipp or vessell as in and by the said statu[te] hee was Required and Enjoyned, But wthout haveing first delivered to the said Governour or the said officer by him thereunto authorized and appointed a true and perfect Inventory Invoice or perticuler of the seaverall goods and Comodities of the said shipp or Vessells Ladeing, wth the place or places in w^{ch} the said goods were Laden or taken into the said shipp or Vessell, Hee the said Richard Windall did then and there out of the said shipp or Vessell unlade divers goods and Comodities, That is to say) Two hogsheads of ffrench Wine, And the said Richard Windall did also unlade and deliver to John Addison and to John Reddish seaverall bayles packs and Caskes of goods and other European Comodities soe as aforesaid by him in the s^d shipp

imported against the forme of the statute aforesaid in that Case made and provided Whereupon the said Christopher Rousby as well for the said Lord the King and the said Governo^r as for himself prayed the advice of the said Court in the premisses, and that the said Richard Windall Master or Comand^r of the said shipp or Vessell Called the Liverpoole Marchant might forfeit the said shipp or Vessell with all her Gunns tackle furniture Amunition and apparrell and all the said Goods and Comodities According to the forme of the statute aforesaid, and that the said forfeiture might bee Divided into three Equall parts, one third part thereof to our soveraigne Lord the King, one third part thereof to the said Governo^r and the other third part residue of the said forfeiture to him the said Christopher Rousby according to the forme of the said statute, and that the said Richard Windall might Come into the said Court to Answer our said Soveraigne Lord the King the said Governo^r and the said Christopher Who aswell for the said Lord the King and the said Governo^r as for himself in that behalfe followed of and upon the p^rmisses, Therefore Itt was Comanded unto the s^d Ric^{hd} Windall that all other things sett apart and all Excuses Ceaseing hee should bee in his prop pson before the Justices of the said Court att the City of st Maryes the said Eighteenth day of March aforesaid To answer the said Lord the King the said Governo^r and the said Christopher who aswell &c and upon the premisses, and further to doe and Receive what the said Court should Consider of in that behalfe, Under the penalty of one hundred pounds sterling &c:

Att w^{ch} said Eighteenth day of March aforesaid Came the said Richard Windall unto the Court in his prop pson To Answer the said Lord the King the said Governo^r and the said Christopher who aswell &c of and upon the premisses, And the said Richard Windall by Robert Ridgely his Attorney prayed the hearing of the informa^{con} aforesaid and it is read unto him, w^{ch} being Read and by him understood the said Richard Complained him to bee by Collour of the p^rmisses in the informa^{con} specified to be greiveously troubled and unquieted, and that not Justly, and yet for plea to the said Information and as to the supposed breaches of the Act of Parliament in the s^d Information Mencōned hee the said Richard sayd, that hee was in nothing thereof nor of any of them guilty, and of this hee put himself upon the Country and the said Christopher who aswell &c Likewise, Therefore Itt was, Comanded the sheriffe of st Maryes County that hee should Cause to Come Twelve &c by whome &c who neither &c To Recognize &c, Then upon the said Eighteenth day of March aforesaid Came the said Christopher Rousby who aswell &c and the said Richard Windall by Robert Ridgely his Attorney, and the Jurors of that Jury Likewise came to witt, John Barnes John Baker Thomas Innes, John Doxey. Edward Horne Elias Beech Richard Atwood Thomas Griffin Nicholas Guither William Guither John Evans and John Askin, Who being

Liber W. C.

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Liber W. C. Impannelled summoned and Sworne to say the truth in the premisses upon their oaths did say, They found that there was seaverall hogsheds of wines Called Clarrett imported into the River Called st Georges in this Province in the shipp Called the Liverpoole Marchant Richard Windall Comander of the same shipp and then Rideing att Anchor in the said River, and there was noe true Entry made of the said wines before breaking Bulke in the said shipp Therefore Itt was Considered by the said Court That the said Shipp Called the Liverpoole Marchant With her Gunns Tackle furniture Añuniñon and apparell and Alsoe all the goods that were in the said shipp Except such goods as were menconed in the Cocquets that were delivered in by the said Richard Windall att the time of the Entry of the said shipp bee forfeited According to Act of Parliament as by the said Comision and proceedings aforesaid may more att large appeare, And the said John and Marke in fact say That they upon the eight day of October in the yeare of our Lord god one thousand Six hundred seaventy seven att Liverpoole in the Kingdome of England Did Load and put on board the said shipp The Liverpoole Marchant aforesaid the said Richard Windall Comand^r as aforesaid seaverall goods and Marchandizes of the proper goods of them the said John and Marke to bee transported to the said Province of Maryland (That is to say) Eighty seaven yards of broad Cloath, ffourteene peeces of Callico each Twenty yards Long foure peeces of Callico Each Twenty two yards long, Two peeces of Callico each ffifteene yards long, Two Callico Quilts, foure peeces of Colloured Callico each Twelve yards long, Two Callico Petticoates, Two hundred sixty three Yards and one half yard of English Linnen and Diaper, Twenty seaven Ends of fustian, Two hundred twenty seaven yards of Canvas Two hundred twenty eight yards and three quarters of one yard of fine blew Linnon, Two Reames of writing Paper, Ninety six hoes, thirty six Axes, two paire of parragon boddies Tenn paire of small bodyes, ffifty six pounds of Dropp shott, ffoure peeces of Kendall Cottens, Two eight Quarter bed tickes, One hogshhead of brandy, a sett of Carpenters tooles, and a Remnant of Kersey Conta Twelve yards, w^{ch} said goods were of the vallue of Sixty foure thousand seaven hundred twenty five pounds of Tobacco as by a perticular thereof hereunto annexed may appeare, all w^{ch} said goods they did Cause to bee duely Entred att the Port of Liverpoole and paid the Custome and other duties for the same, and had and Received at the Custome house att the Porte of Liverpoole aforesaid from the officer there thereunto appointed sufficient Cocquets for the said goods, and the said Richard Windall after his arrivall in this Province upon the Entry of the said shipp, to witt the eighth day of March in the yeare of our Lord one thousand six hundred seaventy seven aforesaid, did produce and Deliver to the officer in this Province appointed and authorized by the Right Hono^{ble} The Lord Proprietary of this Province for the Entring and

Cleareing of Shipp, the said Cocquets, and a Certificate of there Liber W. C.
 due Entry and Cleareing att the Port of Liverpoole aforesaid accord-
 ing to the Law in that case made and Provided, And they the said
 John & Marke being upon the eight day of March aforesaid in
 st Georges River in st Maries County on board the said Shipp Liver-
 poole Marchant possessed of the said goods and Marchandizes as of
 there proper goods as aforesaid and, The said Christopher Rousby
 as his Majesties Collecto^r as aforesaid did seize the said shipp and
 all the goods in her for breach of the Act of Parliament aforesaid,
 and upon the said Eighteenth day of March aforesaid Caused the
 said shipp wth her Gunns Tackle Amunicon furniture and Apparrell
 and all the goods w^{ch} were imported in the same shipp, Except such
 goods as were menconed in the Cocquetts, that were delivered in by
 the said Rich^d Windall at the time of the Entry of the said Shipp,
 To bee by the Court aforesaid for the breach of the said Act of
 Parliament Condemned, and by Collour thereof did posseesse himself
 of the said goods of the said John and Marke to the vallue aforesaid,
 Notwithstanding w^{ch} the said Christopher Knowing the said goods
 to bee the proper goods of the said John and Marke, and to the said
 John and Marke of right to belong and appertaine, and were not
 Included in the Judgment of the Court aforesaid as forfeited, They
 haveing Cocquetts for the same as aforesaid Yet the said Christopher
 meaning and Intending them the said John and Marke in this behalf
 Craftily and subtilly to deceive and defraud, the goods aforesaid
 unto the said John and Marke Although thereunto hee had been
 often Required hath not delivered, But the same goods afterwards
 (to witt) the thirtieth day of March aforesaid to his owne use did
 dispose and Convert, Whereupon they say they are damnified and
 have Losse to the Vallue of One hundred Thousand pounds of
 Tobacco, And thereupon they bring thereire suite

A Perticular of the goods and Comodities seized and detained
 by Christopher Rousby Esq^r his Majesties Collecto^r in this province,
 being the proper goods and Comodities of John Addison and Marke
 Cordea, Laden on Board the shipp Called the Liverpoole Marchant
 att the Port of Liverpoole in the Kingdome of England and Cleared
 att the Custome house there by Cocquett

	lb To ^b
87 yards of broad Cloath att 150 th Tob a yard one w th	
another	13050
14 peeces of Callico each 20 yds long att 600 th p peece....	8400
4 peeces of Callico Each 22 y ^{ds} long att 660 th p peece.....	2640
2 peeces of Callico each 15 yards long.....	900
2 Callico Quilts	1200
4 peeces of Collourd Callico each 12 yards Long att 400 th	
p peece	1600
2 Callico Petticoates	300

Liber W. C.	263½ yds of English Linnen and Diap att 25 p yard one w th another	6587
	27 Ends of ffustian att 400 th an end.....	10800
p. 160	227 yards of Canvis att 10 th Tobacco p yard.....	4432
	228¾ of ffyne blew Linnen att 15 p yard.....	3432
	2 Reames of writeing paper.....	300
	96 Hoes att 20.....	1920
	36 Axes att 20 p peice.....	720
	2 paire of parragon Boddies.....	300
	10 paire of small boddies att 50 th p paire.....	500
	56 th Dropp shott att 4 th p pound.....	228
	4 peices of Kendall Cotton att 400 th p peice.....	1600
	Two Eight Quarters bed Ticks.....	1000
	one h th of brandy.....	3600
	A sett of Carpenters Toolles.....	500
	A Remnant of Kersy of about 12 yards.....	720
		<hr/>
		64725

And the said Christopher Rousby one of the Attorneys of this Court in his prop pson Comes & defends the force and Injury when &c and Prayeth liberty to imparle hereunto untill next Provinⁿ Court and Itt is granted unto him the same day is given to the Plan-
tiffes alsoe

Now here att this day to witt the fourteenth day of May in the fifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 Came the said John and Marke by theire Attorney aforesaid, and the said Christopher in his proper person Likewise Came & saith, That they the said John and Marke theire ac^{on} aforesaid against him the said Christopher in manner and forme aforesaid ought not to have because hee saith that the goods wherewith the defend^t is Charged in the plantiffes bill or Declaration are said in the same bill or Declara^{ti}on to be of the vallue of sixty foure thousand seaven hundred twenty five pounds of tobacco as by a pticuler Acco^t thereof to the said Declara-
tion annexed may appeare whereas in truth the goods aforesaid att the particular Rates and Vallues as the same as are expressed and sett downe in the body of the Articles of the said particular accompt annexed to the said Declaration & mentioned in the same, and to w^{ch} the said Declaracon doth referre as aforesaid Doe Amount unto Sixty Two thousand five hundred sixty three pounds of tobacco and noe more, And Therefore the said Totall sume of sixty foure Thousand seaven hundred Twenty five pounds of tobacco in the said Declaration is not well warranted by the particular rates and Vallues of the same goods as the same are rated and Expressed in the body of the said Articles specified in the said pticuler Account

annexed to the said Declaration, But is more by the Quantity of Two Thousand one hundred sixty two pounds of Tobacco, All w^{ch} the said Christopher is Ready to Averse, and Thereupon because of the said Variance uncertainty and Untruth aforesaid, by Reason whereof the Court Cannot Legally ground a Judgment, The said Christopher prays Judgment of the said bill or Declaration, and Whether the said plantiffes in this behalfe ought to bee Answered, And that the aforesaid Ac^con may Abate Liber W. C.

Which being Read heard and Argued & by the Justices here fully understood Itt Seemeth to the same Justices that the said plea of the said Defend^t in Abatement of the Action aforesaid in manner and forme afores^d pleaded & the matters in the same Contained are Sufficient in Lawe to Abate the aforesaid Ac^con against the said Defend^t in forme aforesaid brought Therefore it is Considered that the Ac^con aforesaid against the said Deft in forme aforesaid brought shall be Abated, and the said Defend^t may goe thereof without Day, And alsoe that the said Christopher Rousby recover against the said John Addison and Marke Cordea The sume of _____ pounds of Tobacco for his Costs and Charges by him About his Defence in this behalfe laid out & expended And the said Christopher may haue thereof Execution p. 161

Thomas Lomax	} Ejectm ^t	Gerrard Slye late of st Maryes County
ag ^t		gentl was attached to answe ^r unto
Gerrard Slye		Thomas Lomax of a plea Wherefore w th

force and Armes one Tract of Land called Rich Neck Containing ffive hundred Acres bee the same more or lesse Scituate Lyeing and being in the County of st Maryes aforesaid betweene Mattapany and Bushwood, w^{ch} John Coode and Susanna his wife late wife of Robert Slye deceased, and mother and Guardian of Elizabeth Slye and ffrances Slye the Daughters of the said Robert Slye in Right of the said Elizabeth & ffrances Demised to the said Thomas Lomax for a terme w^{ch} is not yet past, Did Enter and him from the posession thereof did Eject & other harmes to him did to the greate damage of the said Thomas Lomax and against the Peace of the Right hono^{ble} The Ld Prop^{ty}

And Whereupon the said Thomas Lomax by Robert Carvile his Attorney sayth That Whereas the said John Coode and Susanna his wife late wife of the said Robert Slye deceased, and mother and Guardian of the said Elizabeth & ffrances the daughters of the said Robert Slye, in Right of the said Elizabeth & ffrances, The 28th day of September in the yeare of our Lord 1679 in st Maryes County aforesaid did Demise said Tract of Land Called Rich neck Containing ffive hundred Acres bee the same more or Lesse Scituate Lyeing and being in the County of st Maryes aforesaid Betweene Mattapany and Bushwood afores^d unto him the said Thomas Lomax To have and to hold to him the said Thomas Lomax and his As-

Liber W. C. signes from the said Twenty eighth day of september aforesaid untill the full End and terme of three yeares from thence next Ensueing and fully to bee Compleate and ended, By vertue of w^{ch} said Demise the said Thomas Lomax into the said tract of Land Called Richneck wth the appurtenances Entred and was thereof posessed, and being soe thereof posessed afterwards, to witt, the first day of October in the said yeare of our Lord 1679, The said Gerrard Slye into the said Tract of Land Called Richneck with the appurtenances w^{ch} the said John Coode and Susana his wife late wife of the said Robert Slye dec^d, mother and Guardian of the said Elizabeth and ffrances Daughters of the said Robert Slye as aforesaid in Right of the said Elizabeth and ffrances in forme aforesaid Demised for the Terme w^{ch} is not yet past Entred and him from the posession thereof did Eject & other harmes to him did, to the greate damage of the said Thomas Lomax and ag^t the peace of the R^{ty} hono^{ble} The Lord Prop^{ty} &c And Whereupon the said Thomas p. 162 saith hee is the worse and hath Damage to the Vallue of one hundred thousand pounds of Tobacco And thereupon hee bringeth his suite

Unlesse the Tennant in posession or those und^r whome hee Claimes doe att the next Provinciall Court to bee held att the City of st Maries the day ffebruary next Appeare to this Declaration and make him or themselves Def^{ts} thereunto and by Rule of Court Confesse the Lease Entry and Ejectm^t and Insist onely upon the Title The Defend^t in the Declaration will Confesse Judgment and posession will bee Delivered Accordingly to the pl^t To Cap^t Gerrard Slye Tennant in posession of the p^rmisses wthin mentioned Itt is Ordered by the Consent of Robert Carville Attorney for the Plt and Christopher Rousby Attorney for the Defendant Gerrard Slye That the said Gerrard Slye should bee Admitted Defend^t, and that hee forthwth appeare and Receive a Declaracon and plead to Itt the Generall issue, and att the Tryall To bee thereupon had The said Gerrard Slye shall appeare in his prop sson or by his Attorney and shall Confesse the lease Entry and Ejectm^t or that in Default thereof Judgment shall bee Entred against the said James Greene the Casuall Ejecto^r, but all further prosecution against him shall Cease untill the said Gerrard Slye shall make default in any of the p^rmisses And it is further ordered by the Court by the Consent aforesaid That the said Gerrard Slye shall not take any Advantage against the p^{lt} for not prosecuteing upon the Tryall occasioned by such Default, but that the said Gerrard Slye shall pay to The p^{lts} the Costs by this Court to bee Taxed in this Cause, And it is further Ordered that the Lessor to the p^{lt} shall be Charged with the payment of the Costs to the Defend^t if any bee Adjudget to him

Att a Provinciall Court held att st Maryes the Eighteenth day of february in the fifth yeare of the Dominion of Charles Lord Balte-

more &c Annoq Dommi 1679 Before his Lo^{ps} Justices thereunto Liber W. C.
Assigned

Came Thomas Lomax by Robert Carville his Attorney, and James Greene by Christopher Rousby his Attorney, But because It appeared to the Court here That this Ac^{on} of Ejectment is Comenced by the said Thomas as Lessee to John Coode and Susanna his wife late wife of Robert Slye dec^d and Mother and Guardian of Elizabeth Slye and ffrances Slye the daughters of the said Robert slye in Right of the said Elizabeth and ffrances against James Greene Casuall ejecto^r, And the said Gerrard Slye being named Deft instead of the Casuall Ejector To try the title to ffive hundred Acres of Land Called Rich Neck Lyeing in st Maryes County Betweene Mattapany and Bushwood now in the Tenure & posession of the said Gerrard Slye or his Assignes, And the Court findeing it necessary that the due Lynes and bounds of the said parcell of Land bee surveyed and Laid out by some skilfull person According to the orriginall survey thereof, And that a faire plott and Certificate thereof bee Returned to the next Provinc^{al} Court Itt is by the Court this day Ordered That John Manley gentl bee and is Hereby Especially appointed impowered and Comanded To lay out the aforesaid parcell of Land According to the Ancient meets And Bounds thereof in the presence of the sheriffe of st Maryes County afores^d Who is hereby Comanded and Impowered to sumon and Impannell a Jury of Twelve good Lawfull and honest men of the Neighbourhood to goe upon the said Land, and to sumon and Examine witnesses upon oath That the truth of the matter may bee fully Discovered, And the said John Manley is hereby ordered to Runn the Lines According to the Evidence thence to bee given, and the direcons of the Jury, and to Returne a Certificate of his proceedings herein and a faire Plott of the Lands in Question to the next Provincia^l Court to bee held att st Maryes the Eleaventh day of May next attested aswell under the hand and Seale of the said John Manley as of the sheriffe and Jurors aforesaid, That soe his Lopps Justices being fully informed of the truth of the p^rmisses may Doe therein as to Justice shall appertaine p. 163

On w^{ch} said Eleaventh day of May Came the said Surveyo^r and made returne of the aforesaid ord^r in these words ffollowing Viz Maryland ss: To the hono^{ble} the Justices of the Provincia^l Court

These are humbly to Certifie yo^r Hono^{rs} that by vertue of an Order to mee Jn^o Manley directed Bearing date the Eighteenth day of ffebruary in the ffifth year of the Dominion of the R^{ty} hono^{ble} Charles Lord Baltemore &c Annoq Dom 1679 To Lay out a parcell of Land in the Tenure and posession of Gerrard Slye or his Assignes Containing ffive hundred Acres, Lyeing in st Maryes Count betweene Mattapany and Bushwood, Called Rich neck and now in dispute betweene John Coode and susanna his wife late wife of Robert Slye deceased & Mother and Guardian of Elizabeth Slye and ffrances

Liber W. C. Slye the Daughters of the said Robert Slye in Right of the said Elizabeth and ffrances, against the said Gerrard Slye being named Defendant According to the ancient meets & bounds thereof in presence of the sheriffe of st Maryes County and a Jury to goe upon the Land, and Examine Evidences upon oath, and to see the said Land Laid out According to theire best skill and Knowledge According to the Ancient meets and bounds thereof

Now. (To witt) the Two and Twentieth day of Aprill Annoq Domny 1680, Majo^r William Boarman sheriffe of st Maryes County did Impannell and Swear a Jury of the neighbourhood According to the said order (viz namely) Will Roswell, Thomas Carville, Edward Turner, John Tennison, John Shankes Joshua Guybert, John Bullock, Sam^l Maddox, John Hilton, Vincent Manfeild, Thomas Reeves, and Nehemiah Blackiston, Jurors, Which Jurors doe upon theire oathes say, That they find according to the Evidence of, Cap^t Justinian Gerrard susanna Coode, Thomas Reeves, John Slye, Thomas Reynolds, Morrice Miles and Nehemiah Blackiston Witnesses, That they finde the said Tract of land according to the Ancient meetes and bounds thereof, To Beginne, att a Red oake marked wth nine Notches Standing att the Lower end of Maiden swampe on the west side thereof neare the back Creeke that runns up betweene Mattapany and Richard ffosters, Runing up the said Swampe east north east from the said oake one hundred and sixty perches, Thence north east and by east Eighty perches up to the End of the Rich Land to a marked white oake with nine notches, and from the said oake by a Line drawne north Easterly Two hundred perches to a bounded Red oake marked with nine notches standing neare a small fresh Runn under the high grounds, and by the path that Leads from Bushwood Towards the head of Clements bay, Thence north west Two hundred and eighty perches to a bounde Pokiccory tree standing on the east side of a greate Valley on the high grounds being one of the bound Trees of Robert Slyes Tract of Land called Bushwood Thence south westerly one hundred forty foure perches to a marked Gumm standing att the head of Mannatopason Runn Thence south downe the said Runn eighty eight perches, Thence as the Runn Runns South west thirty two perches to a path that Leades from Bushwood to the Church, Thence Downe the said Runn South west and by south forty eight perches, thence south Thirty two perches, Thence west south west fifteene perches to a marked Post marked with R S: 1669, Thence south west and by south Thirty six perches Thence south fifty six perches to a bridge, Thence south and by east twenty foure perches to the swampe, Thence south east and by south Seaventy six perches to the first bound tree: Containing and now Laid out for ffive hundred Twenty foure Acres, And this is the truth to the best of our Knowledge, as witnesse our hands and seales of the said John Manley Deputy surveyo^r and the said sheriffe of st Maryes County & Juro^{rs}

of the said Jury This two and Twentieth day of Aprill in the f fifth Liber W. C.
 yeare of the Dominion of Charles Lord Baltemore &c Annoq
 Dominj one Thousand six hundred and eighty

John Manley. surveyo^r: (sealed)

William Boareman: sher. (sealed)

W^m Roswell (sealed) Jn^o Bullock (sealed)

Tho Carville (sealed) Sam^l Maddox (sealed)

Edw^d Turner (sealed) Jn^o Hilton (sealed)

Jn^o Tenison (sealed) Vincent Mansell (sealed)

Jn^o shankes (sealed) Thomas Reeves (sealed)

Joshua Guibert (sealed) Ne^a Blakiston (sealed)

W^{ch} being Read and heard, and Robert Carville Attorney for the
 pth and Christopher Rousby Attorney for the Def^t being present Itt
 is Considered by the Court here this day to witt the fourteenth day
 of May in the fifth yeare of the Dominion of Charles Lord Balte-
 more &c Annoq Dominj 1680 That the said Thomas Lomax as Lessee
 to the said John Coode and susanna his wife late wife of the said
 Robert Slye deceased, and Mother and Guardian of the said Eliza-
 beth Slye and ffrances Slye the daughters of the said Robert Slye,
 and in Right of the said Elizabeth and ffrances, may Recover ag^t
 the said Gerrard Slye his Terme aforesaid of and in the said parcell
 or Tract of Land Called Rich neck according to the meets and
 bounds above mentioned, And hereupon the said pth by his Attorney
 aforesaid prayed his Lopps writt To the sheriffe of S^t Maryes
 County to bee Directed To Cause him to have his posession of his
 terme aforesaid yet to Come of and in the Lands and p^rmisses afore-
 said, and alsoe a writt of Enquiry of Damages, by Reason of the said
 Trespas and Ejectment done to the said pth, And they are granted
 unto him Returnable here att the next Provinciaall Court

Justinian Gerrard	} in Ejectm ^t	Vincent Mansfeild late of S ^t Marys
ag ^t		County gentl. was attached to an-
Vincent Mansfeild		sware to Justinian Gerrard of a
		plea wherefore by force and armes
one messuage, Containing by Estimacon One hundred Acres of		
Land scituate in st Maryes County and pcell of st Clements Manno ^r ,		
Called Parsimmon Pointe and which John Coode to him the said		
Justinian Gerrard demised for a Terme w ^{ch} is not yet past did Enter, p. 165		
and him from his ffarme aforesaid did eject and other Enornities		
to him did doe To the greate damage of him the said Justinian		
Gerrard, and Contrary to the peace of the Lord Proprietary &c		

And whereupon the said Justinian Gerrard by Robert Ridgely his
 Attorney Complaineth that whereas the said John Coode the twenty-
 eth day of June in the fourth yeare of the Domiñon of Charles &c
 att st Clements Manno^r aforesaid in st Maryes County aforesaid
 had demised to the said Justinian Gerrard the said messuage Called

Liber W. C. Parsimon Pointe and being parcell of the said Manno^r of st Clements and lately in the Tenure & occupation of John Blackiston gentl. Begining att a marke white oake standing in a marsh in the posesion of John Tennison, Thence Runing by an East and by south line to the back Creeke of Mattapany, soe Runing up the said Creeke to a marshie Creeke bounding to a notched white oake standing neare to the head of the said Marsh, from thence by a west and by south Line to a notched white oake standing by Wiccocomico River side Joyning upon the land of Richard ffoster late in the posession of Vincent Mansell as Guardian of the Exec^{ts} of the said ffoster, and containing all the lands within the said bounds, Containing by Estimacon One hundred Acres bee the same more or lesse, To have and to hold to the said Justinian and his Assignes from the ffeast of st John Baptist now last past to the End and Terme of Three yeares from thence next Ensueing and fully to bee Compleate and ended, by vertue of w^{ch} Demise the said Justinian into the said Tenements aforesaid wth the appurtenances Entred and was thereof possessed, and soe thereof being possessed the said Vincent Mansfeild afterwards To witt the tenth day of July then next following into the Tenem^{ts} aforesaid wth the appurtenances w^{ch} the said John Cooode to the said Justinian Gerrard in forme aforesaid did demise for the Terme aforesaid w^{ch} is not yet past did enter, and him from his ffarme aforesaid did Eject, and other Enormities to him did doe to the greate damage of him the said Justinian and against the peace &c, Whereupon hee sayth hee is the worse and hath Damage to the Vallue of Tenn pounds sterling, And thereupon hee bringeth his Suite

Unlesse the Tennant in posession or they und^r whome hee Claimes doe the next Provinciaall Court to bee held att the City of st Maryes the seaventh day of Octob^r next appeare to this Declaracon and make him or themselves Defend^{ts} hereunto and by Rule of Court Confesse the Lease Entry & Ejectionment and Insist onely upon the Title. The Def^t in this Declaracon will Confesse Judgment, and posession wi[ll] bee Delivered Accordingly to the p^t To Edward Bradborne Tennant in posession

of the p^rmisses wthin named.

Itt is ordered by the Consent of Robert Ridgely Attorney for the p^t and Nehemiah Blackiston Attorney for the Defend^t Vincent Mansfeild that the said Vincent Mansfeild should bee Admitted Defend^t, and that hee forthwth appeare and Receive a Declaration and plead to it the Generall Issue, and att the Tryall to bee thereupon had the said Vincent Mansfeild Shall appeare in his prop^{son} or by his Attorney, and shall Confesse the Lease Entry and Ejectionment or that in Default thereof Judgment shall bee Entred against the said Thomas Lomax the Casuall Ejecto^r, but all further prosecution against him shall Cease untill the said Vincent Mansfeild shall make default in any of the p^rmisses, and Itt is further Ordered by

the Court by the Consent afores^d that the said Vincent Mansfeild Liber W. C. Shall not take any advantage against the plt for not prosecuting upon the Tryall occasioned by such default, but that the said Vincent Mansfeild shall pay to the p^t the Costs by this Court to be Taxed in this Cause, and Itt is further Ordered that the Lessor to the p^t Shall be Charged with the payment of the Costs to the def^t If any bee Adjudged to him

And the said Vincent Mansfeild by Nehemiah Blackiston his Attorney Cometh and defendeth the force and Injury when &c and saith that hee is not guilty of the trespass and Ejectment in manner and forme as wthin Declared and of this hee puts himselfe upon the Country

Att a Provinciaill Court held att st Maryes the Eighteenth day of ffebruary in the fifth year of the Dominion of Charles Lord Baltemore &c Annoq Dominj 1679 Before his Lopps Justices thereunto Assigned

Came Justinian Gerrard by Robert Ridgely his Attorney, & Vincent Mansfeild by Nehemiah Blackistone his Attorney, and this Cause standing att Issue ready for Tryall this p^sent Court, but because itt appeareth to the Court here that the same is an Accon of Ejectment and That it is Comenced by the said Justinian as Lessee to John Coode against Thomas Lomax Casuall ejecto^r and the said Vincent Mansfeild being named Defend^t instead of the Casual Ejecto^r To try the title to a parcell of Land now in the Tenure and possession of the said Vincent Mansfeild or his Assignes Containing one hundred Acres Lyeing in st Maryes County and parcell of st Clements Manno^r: Called Parsimon Pointe, and being now in Dispute between the said John Coode and Vincent Mansfeild, and the Court finding it necessary that the due Lines and bounds of the said parcell of Land bee surveyed and Laid out by some skilfull person according to the Originall survey thereof by the discession of the Neighbourhood that are most Knowing thereof, And that a faire Plott and Certificate thereof bee Returned to the next Provinciaill Court Soe that Justice may bee done to both parties, Itt is by the Court this day Ordred That John Manley gentl, bee and is hereby Especially appointed impowered and Comanded to Layout the aforesaid parcell of Land according to the Ancient meets and bounds thereof in the p^sence of the sheriffe of st Maryes County aforesaid who is hereby Comanded & Impowered to sumon and Impannell a Jury of Twelve good Lawfull and honest men of the Neighbourhood to goe upon the said Land, and to sumon and Examine Witnesses upon oath that the truth of the matter may bee fully Discovered, And the said John Manley is hereby ordered to runn the Lines According to the Evidence then to bee given and the direccons of the Jury, and to Returne a Certificate of his proceedings herein and a faire Plot of the Lands in Qustion to the next Provinciaill Court to bee held at st Maryes the Eleaventh day of May next

Liber W. C.
p. 167

attested aswell under the hand and seale of the said John Manley as of the Sheriffe & Jurors aforesaid, That soe his Lo^{ps} Justices being fully informed of the truth of the p^rmisses may doe therein as to Justice shall apptaine

On w^{ch} said Eleaventh day of May came the said surveyo^r and made returne of the aforesaid Order in these words following:

Maryland ss: To the hono^{ble} The Justices of the Provincia^l Court

These are to Certifie yo^r hono^{rs} That by vertue of an Order of Court Directed to mee John Manley, beareing date the 18th day of ffebruary in the fifth yeare of the Dominion of the R^{tt} hono^{ble} Charles Lord Baltemore &c Annoq Dom 1679 To Lay out a parcell of Land in the Tenure and posession of Vincent Mansell or his Assignes, Containing One hundred Acres being a parcell of st Clements Mannour called Pursimmon Pointe, and now in Dispute betweene John Coode gent^l and the said Vincent Mansell, according to the Ancient meetes and bounds thereof in the p^rsence of the Sheriffe of st Maryes County and a Jury of the Neighbourhood to goe upon the said Land, and Examine Evidences upon oath, and to see the said Land Laid out According to the best of their skill and knowledge, according to the Ancient meets and bounds thereof. Now to witt the fifteenth day of Aprill Annoq Domini 1680 Majo^r William Boareman sheriffe of st Maryes County did Impannell & swear a Jury of the neighbourhood, According to the said Order, Viz Namely William Roswell, Samuell Maddox, John Shankes William Langworth, Collen Mackensy, Thomas Attaway, John Smith, John Slye, Thomas Jourdain, Edward Cole, Benjamin Gargitt, and John Gee Jurors. Which Juro^{rs} Doe upon their oathes say. That they finde the said Tract of Land According to the Ancient meetes and Bounds thereof mentioned in Richard ffosters Deed to John Blackiston, To beginn att a bounded white oake: Standing by a small Pointe by a small Marsh now in the posession of John Tennison neare Wiccocomico River side, Runing thence east south east Two hundred thirty and six perches to a marked Locust standing on the west side of Mattapany Creeke, thence Runing up the said Creeke North north east forty foure perches, Thence west north west Twenty eight pches Thence north west and by north sixty perches, Thence north ffifty six perches Thence north and by west Twenty foure perches, Thence North west Twenty eight perches, to a Marsh, Thence Runing up the Marsh west north west sixty perches to a bounded White oake standing neare the head of the Marsh, Thence west by south one hundred twenty eight perches to Wiccocomico River, and five pches breadth on the north side of the said Line the whole Length thereof, thence south east Sixteene perches, thence Runing downe Wiccocomico River South and by East fifty Six perches, Thence south south east forty perches to the first bound Tree, Containing and now Laid out and Platted for One hundred ninety & foure Acres, And this is the truth to the best

of our Knowledge, As witnesse our hands and Seales of the said John Manley Deputy Surveyor & the sheriffe of s^t Maryes County and Jurors of the said Jury this sixteenth day of Aprill in the fifth year of the Dominion of the R^{tt} hono^{be} Charles Lord Baltimore &c Annoq Dominj One thousand six hundred and eighty

John Manley. (sealed)

W^m Boareman: (sealed)

W^m Rosewell

Sam^{ll} Maddox

John Shankes

W^m Langworth

Colin Mackensey

Thomas Attaway

} sealed)

John Smith

Jn^o Slye

Tho. Jourden

Edw^d Cole

Benja. Gargitt

John Gee

} sealed)

Which being Read and heard and Robert Ridgely Attorney for the p^{lt} and Nehemiah Blackiston Attorney for the Defend^t being p^{sent} Itt is Considered by the Court here this day To witt) the fourteenth day of May in the fifth year of the Dominion of Charles Lord Baltimore &c Annoq Domini 1680 That the said Justinian Gerrard as Lessee to the said John Coode may Recover against the said Vincent Mansfeild his Terme aforesaid of and in the said Tract or parcell of Land Called Parsimon Pointe According to the meets and bounds before mentioned, And hereupon the said Plt. by his Attorney aforesaid Prayeth his Lo^{pps} writt to the sheriffe of st Maryes County to bee Directed to Cause him to have his posession of his Terme aforesaid yet to Come of and in the Lands and p^rmisses aforesaid And Also a Writt of Inquiry of Damages by Reason of the s^d Trespas and Ejectment done to the said Plantiffe, and they are granted unto him Returneable here att the next Provinciaall Court

Marke Cordea } Richard Atwood late of st Maryes County was
ag^t } summoned to answere unto Marke Cordea of a plea
Richard Atwood } Why hee tooke a bright bay horse Colt wth the
starr in the forehead and marked. M. C: on the
Neare buttock of the price of Two thousand pounds of Tobacco
of the goods of the said Marke, and them unjustly Kept against
suretyes and pledges &c

And whereupon the said Marke by Robert Carville his Attorney saith that the aforesaid Richard the Twenty third day of August 1679 Att st Elizabeths Manno^r in st Maryes County, the said bright bay stone horse Colt of the said Marke did take, and him unjustly detained against suretyes and pledges untill the ninth day of September 1679 The said Marke did Cause the same to bee Retaken and Replevyed, Whereof hee is the worse and hath Dammage to the Vallue of Two Thousand ffive hundred pounds of Tobacco And thereupon hee bringeth his suite

Liber W. C. And the said Richard Atwood by Kenelme Cheseldyne his Attorney doth Come and defend the force and Injury when &c and prayeth Liberty to Imparle hereunto untill next Provinciaall Court, and Itt is granted unto him the same day given to the plantiffe also :

Att w^{ch} said next Provinciaall Court To witt the Eighteenth day of ffebruary in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Domini 1679 Came the said parties by their Attorneys afors^d and the said Richard Atwood by his said Attorney sayth, That hee doth well Acknowledge the takeing of the horse Colt aforesaid, and that Justly, Because hee saith That att the time of the supposed takeing and detaining of the said horse Colt aforesaid the said Colt then was and still is the proper Colt of him the said Richard Atwood, and the Encrease of a Certaine Mare being the proper Mare of him the said Richard, and because the said Colt then was and still is the proper Colt of him the said Richard hee well Acknowledgeth the takeing the said Colt aforesaid, And that Justly

And the said Marke by his Attorney aforesaid saith that the Colt aforesaid is not the proper Colt of the said Richard Atwood as the said Richard above by pleading hath Alleadged, and this hee prayes may be Enquired of by the Country, And the said Richard alsoe :

p. 169 Therefore Itt is Comanded the Sheriffe of st Maryes County that hee cause to Come here Twelve &c by whome &c and who neither &c to Recognize &c because aswell &c: Which Jurors being Impannelled and Called Came To witt Thomas Cosden, Joseph Tilley, Marmaduke Semme, Sam^{ll} Holdsworth, John King, William Husbands, Thomas Sedwicks, Robert Mason, William Harris, Thomas Alcock, John Boucher & Herman Norton, .Who being Elected Tried and Sworne to say the truth in the p^rmisses. Upon theire oathes doe say That the Colt aforesaid is the pp Colt of the said Marke Cordea, And thereupon the said Richard Atwood by his Attorney aforesaid moved the Court here in Arrest of Judgment upon the Verdict of the Jurors aforesaid Whereupon day is given to both pties untill next Provinciaall Court

Now here att this day to witt the ffifteenth day of May in the ffifth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Domini 1680 Came the said parties by their Attorneys aforesaid, and the said Richard Atwood by his Attorney aforesaid. fileth his Reasons for arrest of Judgment upon the Verdict of the Juro^{rs} aforesaid, w^{ch} ffolowes. Viz

(Reasons for Arrest of Judgment in this Cause)

Imp^{rs}: It's Erro^r in that noe Replevin can Lye for any other matter or thing then such as are first distreyned and Impownded, w^{ch} the said Colt was not and soe the proper Action for Recovery of the same was by action of Trover or detinue

2^d Its error in that the Defend^t when the said writt of Replevin was

served by the sheriffe claymed property in the said Colt, Yet Notwithstanding the said Colt was delivered into the Custody of the said Plt, w^{ch} hee ought not to have done, but to have Returned the Clayme of the Defend^{ts} property Liber W. C.

3 Its Erro^r in that. The p^{ts} plea in barr to the defend^{ts} Avowry is uncertaine and Insufficient, in that hee saith that the said Colt is not the proper Colt of the said Richard Atwood, Whereas hee ought to have said That the said Colt att y^e supposed time of the takeing and Detaining of the same by the said Richard Atwood was not then nor ever since the proper Colt of him the said Richard w^{thout} Averment of w^{ch} the said Richard might to have had at that time a property, and then noe Cause of Ac^con att the time of bringing the said Writt for the takeing and Detaining

W^{ch} Reasons aforesaid being Read heard and Argued, and by the Justices here fully Understood Itt Seemeth to the same Justices, that the Error in the second Reason aforesaid is sufficient in Lawe to Arrest Judgment upon the Verdict of the Jurors aforesaid, Therefore Itt is Considered that the said Marke Cordea take nothing by his writt but bee in mercy for his false claime thereupon, and the said Richard Atwood may goe thereof w^{thout} Day And that the said Richard Atwood Recover against the said Marke Cordea the Summe of ffourteene hundred Twenty and eight pounds of Tobacco for his Costs and charges by him about his defence this behalfe laid out and expended, And the said Richard may have thereof Execution

Robert Doyne	} William Wright late of Charles County Plant ^r	p. 170
ag ^t		
William Wright	} was attached to Answer unto Robert Doyne of	
	} a plea of Trespas upon the case	

And whereupon the said Robert Doyne by Kenelme Cheseldyne his Attorney Complaineth That Whereas by one Act of Assembly made att an Assembly begunn and held att st Maryes the Tenth day of October in the yeare of our Lord god one thousand six hundred seaventy one, And by severall subsequent Acts Revived and Continued and now standing in force. Intituled an Act Concerning those servants that have Bastards, Itt is Enacted that every such mother of a Bastard Child not Able sufficiently to prove the party charged to bee the begetter of such Child, in Every such Case the mother of such Child shall onely bee lyeable to satisfie the damages soe sustained by Servitude or otherwise as the Court before whome such matter is brought shall see fitt and Convenient Provided that where the mother of any such Child as aforesaid shall bee Able to prove her charge Either by sufficient Testimony of witnesses, Confession or Regnant Circumstances agreeing wth her Declaration in the extremity of her Paines and Throwes of Travaile, or her oath Taken by same Majestrate, then the pty Charged If a Sarvant to satisfie half the said Damage, if a freeman

Liber W. C. then the whole Damage by servitude or otherwise as the Court before Whome such matter is brought as aforesaid shall thinke fitt &c, as by the said Act Relation being thereunto had may more att large appeare, The said William Wright the said Act not regarding nor feareing the penalty in the same Contained, in or about the moneth of in the yeare of our Lord god one thousand six hundred seaventy and hee the said William Wright being then a ffree man of this Province of Maryland To the great Dishono^r of god and to the apparent damage of the said Robert Doyne Did begett then upon the body of one The then Woman sarv-
ant of the said Robert Doyne a Bastard Child in Contempt of the said Act and to the greate Damage of the said Robert Doyne by Reason Whereof

And the said William Wright by Robert Ridgely his Attorney cometh and Defendeth the force and Injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court and Itt is granted unto him the same day to given to the plt also

Now here att this day to witt the Thirteenth day of May in the fifth yeare of the Dominion of Charles Lord Baltemore &c Annoq^{ue} Domini 1680 came the said parties by theire Attorneys aforesaid, and the said William Wright by his said Attorney saith, That the said William for or by Reason of any thing above by the said Robert in manner and forme aforesaid Alleadged against him him hee hath noe need nor by the Lawe of the land is bound to answere, and to the same Demurreth ín Lawe, according to the forme of the statute in that case pvided hee sheweth forth, That Whereas the said Robert setteth forth in his sd Declaraçõ (that whereas the said William in or About the moneth of in the yeare of our Lord god one hundred sixty seaven hee the said William Wright being then a freeman of this Province of Maryland To the greate dishono^r of god, and to the apparent Damage of the said Robert Doyne did begitt then upon the body of one the then Woman sarvant of the said Robert Doyne &c.) w^{ch} are words of noe sence or signification in Lawe nor pp for the said William to Answere unto, and this hee is ready to Averre, And therefore Demands Judgment of the said Declaration, and if the said William to the same ough^t to Answere, Whereupon the said plt refuseth to make any farther. psecution against the said Defend^t in the plea aforesaid, Therefore Itt is Considered That the said Robert Doyne take nothing by his writt but
p. 171 hee In mercy for his false Claime thereupon & the said William Wright may goe thereof without day, And that the said William Wright Recover against the said Robert Doyne the same of Eight hundred thirty & Six pounds of Tobacco for his Costs and charges by him about his Defence in this behalfe laid out and expended and the said William may have thereof Execution

Liber W. C.

Att w^{ch} said Seaventh day of October Came aswell the said Garret by Robert Carvile his Attorney as the aforesaid William Perfitt by Henry Bonner his Attorney, And the Comissioners of Charles County to witt Henry Addames, John Stone, Ignatius Causeene, William Barton and: Hump^{ry} Warren The Transcript of the Record proceedings and Judgment of Charles County Court to the Justices of the Provinciaall Court here under their hands and Seales have sent, The Tenno^r whereof in the Words followeth Viz

Liber W. C. Charles County ss:

p. 172

Charles Absolute Lord and Prop^{ry} of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c To the Sheriffe of this County to Comand you to take the body of William Perfitt if hee may be found within your Baliwick and him in safe Custody keepe soe that you may have his body before his Lopps Justices att the next Court to bee held in this County on the Twelfth day of November next to answere unto Garret Vanswearen in a plea that hee Render unto him Two hundred Twenty five pounds of Tobacco w^{ch} to him hee oweth and unjustly Detaineth, Hereof faile not and have you there this writt. Given und^r the seale of the County this nineteenth day of October in the third yeare of his Lopps Dominion &c Annoq Dominj 1679

To W^m Chandler sheriffe

Entred p Rand^o Brandt: Clerk:

or his Deputy

By virtue of this Writt I haue taken the w^{thin} mençoned William Perfitt whose body I haue ready as I am required

W^m Chandler. sher.

Maryland ss:

Att a Court held in Charles County for the R^{tt} hono^{ble} Charles Absolute Lord and Prop^{ry} of this Province of Maryland &c before his Lopps Justices of the same County. on the six and Twentieth day of November Annoq Domini 1678

The hono^{ble} Majo^r Benjamin Rozer Esq^r Councello^r

Present	{	M ^r Henry Addams	{	Cap ^t Ignatius Causeene	} Comiss ^{rs}
		Coll. Jn ^o Douglas		Cap ^t Hump ^{ry} Warren	
		M ^r Rob ^t Henley		M ^r Robert Doyne	
		Cap ^t William Barton		M ^r John fflanning	

In a Cause depending between Garret Vanswearen p^{tt} & W^m Perfitt Def^t the Defend^t not appeareing neither by himselfe nor his Attorney to Answere to the Accon Comenced

Itt is Ordered by the Court that the Sheriffe bee in misericordia to bring him the next Court to Answere the said Accon

Maryland ss:

Att a Court held in Charles County for the R^{tt} hono^{ble} Charles Absolute Lord and Prop^{ry} of the Provinces of Maryland and Avalon. &c. before his Lopps Justices of the said County On the fourteenth day of January Annoq Domin 1678

The hono^{ble} Coll Benjamin Rozer Esq^r Councello^r

Present	{	M ^r Henry Addams	{	Cap ^t Ignatius Causeene	} Comiss ^{rs}
		M ^r John stone		M ^r Robert Doyne	
		Cap ^t W ^m Barton		M ^r ffrancis Wind	

Whereas. William Perfitt was attached to answere unto Garret Vswearen in a plea that hee Rend^r unto him Two hundred Twenty five pounds of Tobacco w^{ch} to him hee oweth and Unjustly De-

teyneth, & the sheriffe being in misericordi to bring in the said William Perfitt this Court to answere unto the said Garret Van-
 swearing in the said accon M^r John Hamilton Deputy sheriffe sayth That hee is very Ancient and how to get him to Court hee Knoweth not, and Sayeth That the said William Perfitt is Ready to pay the said Debt if they will fetch it in a bagg but hee will not pay an hogshead of Tobacco for it, for that hee will not trust any man unlesse it bee the Governo^r Whereupon Itt is ordered by the Court that the said Accon bee dismiss for that the said William Perfitt is ready to pay the debt and hath made Tender of the debt, Each part bearing theire Owne Charges

Liber W. C.
 p. 173

Henry Addams	} Ignatius Causeene	} Humphrey Warren (sealed)
John Stone			William Barton

Att w^{ch} seaventh day of October aforesaid Came the said Garret by Robert Carville his Attorney as aforesaid, and the said William by Henry Bonner his Attorney as aforesaid, and the said Garret sayth that in the Record and proceedings aforesaid as also in the Rendring of Judgment aforesaid Itt is manifestly Erronius in y^t That the p^t sues the Defend^t in an Accon of debt upon a bill under hand and Seale for payment of Two hundred twenty five pounds of tobacco, good sound Marchantable Tobacco and Caske, The sheriffe Returnes hee had taken his body and had him ready but the defend^t makes default and appeares not by himself or Attorney for w^{ch} the sheriffe was in Misericordia till next Court to bring his body then, The sheriffe next Court to save his Amerciament affirmes the Defend^t to bee Ancient and that hee knoweth not how to gett him to Court and further affirmed that the defend^t is ready to pay the said Debt if they will fetch itt in a bagg, but hee will not pay an hogshead of Tobacco for it for that he will not trust any man unlesse it bee y^e Governo^r Upon w^{ch} affirmation the Court proceed to dismisse the Accon for that the Defend^t is ready to pay the debt and hath made Tend^r of the debt, Each pty beareing theire owne Charge

Which said proceedings and Judgment are very Illegall Arbitrary & Erronious in Lawe for These Reasons

1 ffirst If the defend^t had beene Sick or weake or Languidus The sheriffe ought to have made such Returne att first w^{ch} hee did not but Returned a Cepi, and that hee had his body ready, and for want of appearance hee was in Misericordei and the Sheriffe ought to have taken a bayle bond to Enforce him to haue appeared by himself or Attorney w^{ch} hee might have done that the Cause might have Received a Legall Tryall, and for want of such bayle bond the Sheriffe ought to have been Amerced and the p^t Left att Liberty to bring his Action of Escape against the Sheriffe, But the

Liber W. C. Court upon a bare Allega^on discharges the sheriffe and Dismisses the accon and the p^lt there Remidillesse

2 M^r Hamiltons affirmacon to the Court being not upon oath, w^{ch} is rec^d as Evidence by the Court) ought not to have beene Soe received) but the Court ought to have Judged him according to the Returne of his writt and Proceeded to Amerce him & hee speakes in his owne cause to Excuse the Sheriffe from his being Amerced w^{ch} is Extra Judiciall and Illegall and Could noe way discharge him in not bringing his Prissoner to appeare according to his Returne of the Writt.

p. 174 3^{dly}. The allegation of M^r Hamilton that Perfitt was ready to pay if they would bring a bagg, Could in noe wise bee Admitted as Evidence ag^t Vanswearingen or for the Defend^t Perfitt, There being no appearance and soe noe issue Could bee Joyned, and without that the Court Could not proceed to try the Cause, but the defend^t ought to have appeared and put himselfe upon the Issue. that hee was ready to pay and had tendered the Tobacco According to his obligation w^{ch} was to bee in Caske, and that being matter of ffact it ought to have beene Tryed by a Jury for ad questionem Legis Respondent Judices as Questionem fact[i] respondent Juratores, And had the Court power att that time to have taken Cognizance of what Hamilton sayed, Yet all hee sayed Could not warrant That Illegall and Extrajudiciall Order of dismission for That the Defend^t was ready to pay the Debt and had made Tender of the debt as the Order sayes, w^{ch} was false, Therefore the said Garret saith the said Record of the proceedings and Judgment aforesaid of the County Court aforesaid are Very Illegall Arbitrary and Erronious, And he prayeth that the said Judgment of the County Court may bee Reversed and sett aside & that hee may have Judgment for his Debt damages and Costs.

And the said William Perfitt by Henry Bonner his Attorney Prayed the hearing of the Errors aforesaid, and prayed Leave to speake to the same till the next Provinciaall Court, and itt is granted unto him the same day is given to both partyes

Att Which said next Provinciaall Court to witt the ffifteenth day of May in the fifth yeare of the Dominion of the R^{tt} hono^{ble} Charles Lord Baltemore &c Annoq Domini 1680 Came the said partyes by theire Attorneys aforesaid and the said William by his said Attorney sayth. That the Judgment afores^d in the writt of Erro^r mentioned Given by the said Court is good and effectuall in Lawe and ought not to be Reversed, for the Reasons above alleadged because hee saith 1st As to the first reason that the defend^t was Lame and not able to make his personall appearance in Court That the Sheriffe ought to have Returned a Languidus, This defend^t saith that whether the Sheriffe bee soe bound or noe is not anything to him or his cause materiall the sheriffe being to Answer himself for what returne

hee makes, And itt appeares here by the Record in Court that the sheriffe did return a Capi upon the said writt Liber W. C.

(2) As to the second M^r John Hamiltons affirmation not being upon oath The said Perfitt saith that there was no need of any oath being made by the said Hamilton untill the Allegacon of the said Hamilton had beene denied by the sd Vanswearen w^{ch} said Allegation ought to bee taken for Truth, if not denied by the adverse pty, and the said Perfitt further Saith that the Tender made by him the said Perfitt to the said Vanswearin was Effectuall in Lawe to barr the said Accon the Truth of w^{ch} Allegation of the said Tend^r being unquestionable in regard the said Hamilton was Vanswearingens Receiver, and as his Receiver stood in place of the said Vanswearingen And Whereas alleadged by Hamilton hee being Vanswearingens Receiver Amounts to Vanswearingens owne Confession and soe the Court ought to have given Judgment against the plantiffe with Costs, The Tender soe Confessed being made before the Comencing of the said Accōn, And therefore a good barr in Lawe

(3) As to the third That the Tobacco to be paid by the Obligation aforesaid aforesaid was to be in Caske, The said Perfitt sayth p. 175 that hee did Tender the said Two hundred twenty five pounds of Tobacco in Caske, and to the said Vanswearingens Receiver Hamilton w^{ch} being matter of fact hee the said Perfitt is Ready to prove when denied by the sd Vanswearingen as this Court shall order, all w^{ch} matters appeareing to the Court of Charles County, And that the said Perfitt was soe sick that hee was not able to bee at Court The truth w^{ch} was well Knowne to most of the Court there, The said Court had good Cause to Dismiss the said Accon as they did, Whereupon the said perfect Craves That the Judgment Given as aforesaid may bee Affirmed with Allowance of his Costs and charges in this Case sustained

And hereupon the Record and Processe aforesaid to the Rendring the Judgment thereupon, and the aforesaid Causes and matters by the aforesaid p^t for Errors Assigned being seene and by the Justices here fully understood & dilligently Examined, And for that Itt appeareth to the same Justices That in the Record and processe aforesaid as also in the Rendring the Judgment aforesaid Itt is manifestly Erronious, Therefore Itt is Considered that the Judgment Aforesaid for the Erro^{rs} in the Record and processe aforesaid. Bee Revoaked, Adnulled, and altogether held for nothing, and That the said Garret Vanswearingen unto all things w^{ch} by occasion of the Judgment aforesaid hee hath Lost bee Restored, And that the said Garret Vanswearingen Recover against the said William Perfitt the sume of Sixteen hundred and seaven pounds of Tobacco for his Costs of suite in this behalf Expended

this County to Comand you to take the body of Cap^t Josias ffendall Liber W. C.
if he may bee found w^{thin} your Baliwick and him in safe custody
Keepe soe that you may have his body before his Lopps Justices at
the next Court to bee held in this County the seaventeenth day of
October in the third yeare of his Lopps Dominion &c Annoq
Dominj 1678

To William Chandler sheriffe Entred p Rand^o Brandt Clke
Or his Deputy
sher. Returne.

By vertue of this Writt I have taken the w^{thin} menconed Josias
Fendall whose body I have ready as I am Required,
W^m Chandler. sher.

Maryland ss:

Att a Court held in Charles County for the R^{tt} hono^{ble} Charles
Absolute Lord and Prop^{ty} of this Province of Maryland &c before
his Lopps Justices of the said County on the 26th day of November
Annoq Dominj 1678

Majo^r Benjamin Rozer Esq^r Councello^r

Present {	M ^r Henry Addams	}	Cap ^t Ignatius Causeene	}	Comiss ^{rs}
	Coll. Jn ^o Douglas		Cap ^t Humfrey Warren		
	M ^r Robert Henley		M ^r Robert Doyne		
	Cap ^t William Barton		M ^r John ffaning		

In a Cause depending betweene Garret Vanswearingen pth and
Josias ffendall Defend^t the Defend^t not appeareing neither by him-
self nor by his Attorney to answere to the Action Comenced Itt is
Ordered by the Court that the sher bee in Misericordia to bring him
the next Court to answere the said accon

Maryland ss:

Att a Court held in Charles County for the R^{tt} hono^{ble} Charles
Absolute Lord and Prop^{ty} of this Province of Maryland &c before
his Lopps Justices of the said County on the fourteenth day of Jan^{ry}
Annoq Dominj 1678

The hono^{ble} Collon^{ll} Benjamin Rozer Esq^r

Present {	M ^r Henry Addams	}	Cap ^t Ignatius Causeene	}	Comission ^{rs}
	M ^r Jn ^o Stone		M ^r Robert Doyne		
	Cap ^t W ^m Barton		M ^r ffancis Winde		

Charles County,

Cap^t Josias ffendall was Attached to Answer unto Garret Van-
swearingen in a Plea of trespas of the Case,

Whereupon the said Garret by Nehemiah Blackiston his Attorney p. 177
Complayneth for that Josias ffendall of the aforesaid County gentl.
had and Received of him the s^d Garret sundry ordinary Accomoda-

Liber W. C. cons and Creditts given to sundry other psons by the said Josias wth him the said Garret by w^{ch} meanes the Account amounteth unto the sume of foure hundred seaventy foure pounds of Tobacco as by an Account Comenceing Aprill the 15th 1676 and ending the 15th of November 1677 here in Court produced may and will more att Large appeare, for w^{ch} said Ordinary accomodations hee the said Josias did Assume upon himself and to the said Garret faithfully did promise that hee would to him pay the said sume of ffoure hundred seaventy foure pounds of Tobacco whensoever thereunto Required Yet notwithstanding his pmise Little Regarding but plotting and fraudulently intending him the said Garret to deceive of the said sume of ffoure hundred Seaventy foure pounds of tobacco Accordingly hath not paid and still doth denye to the greate damage and Injury of the said Garret To the Vallue of six hundred pounds of Tobacco, Upon w^{ch} hee brings his suite.

And the said Josias ffendall appeares in his pp person and Sayes that hee ought not to haue his Accon for that hee is debarred thereof by an Act of Assembly Intituled an Act of Limitacons for Avoyding sundry suites att Lawe

Whereupon the plt produceth this Ensueing account in Court

Josias ffendall D^r

	1676	lb tob.
Ap ^{ll} 15 th	To 2 q ^{rs} of wine.....	50
9br. 28	To Corne 12 th 1 dyet 10.....	22
	To ½ gall beere 1 dyett 22: Corne 10.	32
29	To 3 dyets. 2 horses Corne.....	50
30	To 2 horses Corne and a dyet.....	30
	To ½ gall beere.....	10
	p yo ^r ord ^r to Brookes 2 dyets. 1 p ^t wine	32
Dec ^r 1 st	To Brookes 1 dyet one p ^t wine.....	22
	2—To Brookes	15
	3—To 1 q ^{rt} beere 2 dyets & lodging Brookes	31
	4—To Brookes one dyett.....	10
	5—To Brookes one dyet and Lodging..	15
	To a Quart of Beere.....	6
	6—To Brookes 1 dyet Lodging & q ^t beere	18
	7—To Brookes Dyet and Lodgeing....	15
	8 To 2 qts beere dyet & Lodging Brookes	22 lb Tob

By yo ^r Order for Expençe for Jn ^o		} Liber W. C.	
Gouges Comeing att the Office for			
your Businesse			
Novemb ^r : 14 th			
1677	To one Quart of wine.....	25	}
	To 3 dyets and three Lodgeings....	45	
	To ½ ga ^h beere and one p ^t wine.....	24	
Sume Totall		474:	

Which account was attested before the Hono^{ble} William Calvert Esq^r Secretary viz Garret Vanswearingen made oath to this above Account and that hee never Received Satisfaction, Novemb^r y^e 14th 1678 before mee W^m Calvert

W^{ch} said Account being wthin the time Limited in the Act, and the p^t not haveing a noate under the hand of the said Josias ffendall for the Creditt given nor not able to pve it by the oath of any other pson That Itt was by his Order, Itt is the Judgm^t of the Court that there is noe cause of Accon Whereupon Itt is ordered by the Court that the said Josias ffendall have a Non suite against the said Garret Vanswearingen wth Costs of suite p. 178

To a Nonsuite.....	50
To Attorneys fee.....	100
To entry sher in Misericordia.....	8
To entry appeance 12 fil plea.....	20
To entry & signeing Judgment.....	56
To fil bill of Costs.....	16
To Exec. & Ret.....	28

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Henry Addams (sealed)
Jn^o Stone (sealed)
Ignatius Causeene (sealed)
William Barton (sealed)
Humph: Warren (sealed)

Afterwards that is to say the said seaventh day of October aforesaid, the s^d Garret by Robert Carvile his Attorney aforesaid Came before his Lopps said Justices of the Provinciaall Court and sayth That in the Record and processe aforesaid as alsoe in the Rendring the Judgement aforesaid Itt is manifestly Erronious in this That Whereas the said Josias ffendall stood Justley indebted to the p^t for ordinary Account and Accomodacons and Credits to sundry other persons by the said Josias given with him the said Garret the sume of foure hundred seaventy foure pounds of Tobacco, hee the said p^t for obtaining satisfaccon for his debt afos^d upon the nine-

Liber W. C. tenth day of October 1678 sued out of the said County Court of Charles County a Capias, To the sheriffe of the said County directed to take the body of the said Josias and to have him before the Justices of the said County Court the Twelfth day of November then next to answer unto the s^d Garret of a plea of trespas of the case, By vertue of w^{ch} writt the said sheriffe did Returne. That hee had taken the said Josias whose body hee had ready as hee was Required, and the said Court was adjourned to the 26th of November And the said p^{lt} did att the s^d 26th day of November by Nehemiah Blackiston his Attorney file his Declaracon in an Assumpsitt for the said foure hundred Seaventy foure pounds of Tobacco and annexed to his said Declaracon a Coppy of the pticulers of the said Account Comencing the fifteenth day of Aprill 1676. and Ending the fifteenth day of November 1677 being duely proved before the Hon^{ble} William Calvert Esq^r, and that hee had never rec^d satisfacon And offered himselfe against the said Josias ffendall upon the Accon aforesaid but the said Josias Came not Whereupon itt was ordered by the said County Court That the said sheriffe should bee in Misericordia to bring him the next Court to answer the said Accon,

Att w^{ch} said next Court to witt the fourteenth day of January then next Came aswell the said Garret by his Attorney aforesaid as the said Josias in his proper person, And the said Josias in his proper person aforesaid for plea sayed, that the p^{lt} ought not to have his Accon for that hee was debarred thereof by an Act of Assembly Intituled an Act of Limitacons for Avoyding sundry suite att Lawe

And the Record sayes further w^{ch} said Account being wthin the time Limited in the Act and the p^{lt} not haveing a noate under the said Josias ffendalls hand for the Creditt given nor not able to
 p. 179 prove itt by oath of any other person that Itt was by his order, Itt was the Judgment of the Court That there was noe cause of Accon, Whereupon Itt is Ordered by the Court that the said Josias ffendall should have a Nonsuite against Garret Vanswearingen wth Costs of suite and thereupon the Court Taxes Two hundred seaventy eight pounds of tob. Costs,

W^{ch} said Judgment the said Garret sayth is manifestly Erronious for these Reasons Viz

1. The Defend^r ought to have appeared and pleaded by his Attorney and to haue put in his plea in Writeing under his Attorneys hand, and not in his owne prop sⁿ to plead the said statute in barr Ore tenuo

2. There is noe such Record of any such Act as is mentioned in the said Record of the proceedings, and Judgment aforesaid, Intituled an Act of Limitacons for Avoyding sundry suites att Lawe, but the Act Intended to bee pleaded is Intituled an Act for Limitacon of Certaine Actions for Avoyding suites att Lawe

3 The defend^t ought in his plea to have pleaded the body of the Act and not the title onely, if hee had pleaded the title right) otherwise the plea is Eronious and insufficient Liber W. C.

4. Itt is apparent by the Account and the Record of the proceedings aforesaid, that the Capias issued and was Returnable before the Act of Limtacon Could take place to barr the p^{lts} Accon aforesaid to any part of the said Account except the first Line for Two quarts of wine 50^{lb} tob. w^{ch} is wthin the Statute had it beene well pleaded, but the p^{lt} ought to have had Judgment for the Remaind^r of y^e debt

5. The Defend^t by his plea in barr admitts the debt to bee Just and noe need had there beene of proveing the Account or any order from the Defend^t for Changes, and Itt is Evident there was Just Cause of Accon for the plt. and if soe the order Erronious and Untrue,

And therefore and for the Reasons aforesaid the said Garret sayth the said Record of the proceedings and Judgment of the County Court of Charles County afores^d are Very Illegall and Erronious, and hee prayeth that the said Judgment of the County Court may bee Reversed and sett a side, and that the p^{lt} may haue Judgment for his debt aforesaid Wth Damages and Costs.

And the said Josias by Henry Bonner his Attorney aforesaid Prayed the hearing of the said Errors & they are Read unto him, and hee prayeth time to speake unto the same till the next Court, and Itt is granted unto him. the same day is granted to both parties

Att w^{ch} said next Provinciaall Court to witt the fifteenth day of May in the fifth yeare of the Dominion of Charles Lord Baltemore &c Annoq Dominj 1680 Came the said partyes by their Attorneys aforesaid, and the said Josias ffendall by his said Attorney sayth That the Judgm^t aforesaid in the writt of Error menconed given by the said Court is good and effectuall in Lawe, and ought not to bee Reversed for the Reasons above Alleaged, because hee saith.

1st As to the first Reason Supposed by the Plt, that the Defend^t ought to haue appeared by his Attorney, and not in his prop pson This Defend^t sayth that it is not absolutely necessary in Lawe for the partyes in their pleas to appeare by Atto^r for orriginally all appearances were made in person and noe Attorney wthout the writt of Attornato faciendo, and That itt is for the partyes ease to putt in an Attorney but noe man Obleiged thereunto:

2^{dly}: As to the second this Defend^t sayth whether the Act bee rightly Intituled yea or noe, The p^{lt} in case Itt had not beene rightly Intituled should haue pleaded. That there was noe such Act w^{ch} being matter of ffact hee should have Traversed it in Replyeing to the Defend^{ts} plea Itt being now too late to take such Advantage p. 180

3 As to the third that the Defend^t ought to have Pleased the body

Liber W. C. of y^e Act this Defend^t saith hee was not obleiged to sett forth the Act att large Itt being a publike Act of w^{ch} the Justices Ex officio are bound to take Notice

4 As to the fourth that the p^{lt} ought to have Judgm^t for the Remainder of the deb^t This defend^t sayth that Whether the Account was within the statute or without was matter of ffact and Tryable by a Jury had the p^{lt} denyed the Defend^{ts} plea w^{ch} because the p^{lt} did not denye was Justly by the Court presumed to bee true.

5 As to the Defend^{ts} not Admitting for truth the Declaration of the p^{lt} nor the debt to bee Just the plea being in the Negative Wherefore the p^{lt} haveing brought his Accon, and produceing noe Evidence to prove his Declara^{on} for that the accompt soe Sworne to by the p^{lt} himself is not any Evidence Admittable in any Court of Justice noe man being a Lawfull Witsesse in his owne Cause, nor are Deposicons or Affidavits to bee Admitted as Evidence att Tryall because the Adverse party Cannot Crosse Examine such Deponent for w^{ch} Reason the Defendant prayes that the Judgment given as aforesaid may be Affirmed wth Allowance of his Costs and Charges in this Case sustained.

And hereupon the Record and Processe aforesaid to the Rendring the Judgment thereupon, and the aforesaid Causes and matters by the aforesaid p^{lt} for Erro^{rs} assigned being seene, and by the Justices here fully und^rstood and dilligently Examined, And for that Itt appeareth to the same Justices that in the Record and processe aforesaid as alsoe in the Rendring y^e Judgm^t aforesaid Itt is manifestly Erronious, Therefore Itt is Considered that the Judgment aforesaid for the Errors in the Record and processe aforesaid bee Revoked Adnulled and Altogether held for nothing, and that the said Garret Vanswearingen unto all things w^{ch} by occasion of the Judgment aforesaid hee hath Lost bee Restored, And that the said Garret Vanswearingen Recover against the said Josias Fendall the sume of Eighteen hundred & nine pounds of tobacco for his Costs of suite in this behalfe Expended :

Gerrard Slye	} Memorandum That att this Court to witt the
ag ^t	
Nehemiah Blackiston	Tenth day of ffebruary in the ffifth yeare of
	the Dominion of Charles Absolute Lord and
	Prop ^{rv} of the Provinces of Maryland and
	Avalon Lord Baron of Baltemore &c and in the yeare of our Lord
	1679, Came Gerrard Slye gentl. by Robert Ridgely his Attorney
	and Exhitteth to the Court here his Certaine bill ag ^t Nehemiah
	Blackiston one of the Attorneys of this Court, here in Court in his
	prop pson p ^s ent of a Plea That hee Rend ^r unto him the sume of
	ffoure Thousand Two hundred and thirty pounds of Tobacco W ^{ch}
	to him hee oweth and Unjustly Detaineth.

And Whereupon the said Gerrard Slye by Robert Ridgely his Attorney sayth that Whereas the said Nehemiah Blakiston the

eighth day of June in the Yeare of our Lord 1678 by his Certaine bill or Writeing obligatory Sealed wth the seale of him the said Nehemiah, & here in Court produced Whose date is the day and yeare aforesaid Did Acknowledge himselfe to bee holden and firmly bound unto Gerrard Slye Marchant in the full and Just quantity of ffoure Thousand Two hundred and thirty pounds of good sound Marchantable Tobacco & Caske To bee paid unto the said Gerrard Slye his heires Executors Adm^{rs} or assignes att his now Dwelling Plantacon in the County of st Maryes upon Demand after the first day of October next Ensueing the date of the said Writeing obligatory for wth payment Well and Truly to bee made the said Nehemiah Blakiston did binde himselfe his Executo^{rs} and Adm^{rs} firmly by those p^sents, Notwithstanding Which the said Nehemiah Blackiston The said sume of ffoure Thousand two hundred and thirty pounds of Tobacco to him the said Gerrard According to the Teno^r of the said writeing Obligatory hath not paid Although often thereunto Required, But the same ffoure thousand Two hundred and ffifty pounds of Tobacco to Rend^r and pay hath denyed and as yet doth denye, To the Losse and Damagee of the s^d Gerrard Eight Thousand pounds of Tobacco, And thereupon hee bringeth his Suite.

Liber W. C.
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And the said Nehemiah Blackiston in his prop pson Cometh and defendeth the force and Injury When &, and Prayeth Liberty to Imparle hereunto untill next Provinciaall Court, and Itt is granted unto him the same day is given to the p^{lt} alsoe

Now here att this day to witt the thirteenth day of May in the ffifth yeare of the Dominion of the R^{tt} hono^{ble} Charles Lord Baltemore &c Annoq Dommi 1680 Cometh the said Gerrard Slye by his Attorney aforesaid & Offereth himself against the said Nehemiah Blackiston in the plea aforesaid, but the said Nehemiah Cometh not but maketh default, Therefore Itt is Considered by the Court here that the said Gerrard Slye Recover against the said Nehemiah Blakiston aswell the aforesaid sume of ffoure thousand Two hundred and thirty pounds of tobacco debt As also ffive hundred & Sixteen pounds of Tobacco Costs of suite and the Deft in mercy &c^a.

James Neale Sein ^r	}	Robert Thompson late of Charles County
ag ^t		the Elder gentl. otherwise Called Robert
Rob ^t Thompson Senir	}	Thompson Sein ^r was sumoned to Answere
		unto James Sein ^r of a plea that hee Render
		unto him The full and Just sume of three thousand five hundred
		pounds weight of good Sound Marchantable Leafe Tobacco in Caske
		W ^{ch} &c

And Whereupon the said James Neale by Robert Ridgely his Attorney sayth That whereas the said Robert Thompson the Tenth day of July in the yeare of our Lord 1677 by his Certaine bill or Writeing obligatory Sealed wth the seale of him the said Robert and here in Court produced whose date is the day and yeare afore-

Liber W. C. said Did acknowledge himself to owe and stand Justley indebted unto James Neale sein^r the full and Just sume of Three thousand five hundred pounds weight of good sound Marchantable Leafe Tobacco in Caske To bee paid unto the said James Neale sein^r his heires and assignes att or before the Tenth day of October wth should bee in the yeare of our Lord god 1678 and for the well and true payment thereof att some Convenient place betweene Portobacco Creeke & Wiccocomico River and within a quarter of a Mile from the waterside for payment of w^{ch} as aforesaid The said Robert did binde himselfe his heires Executors, and Adm^{ts} firmly by those presents, notwithstanding W^{ch} the said Robert Thompson the said Summe of Three thousand five hundred pounds weight of Tobacco to him the said James hath not paid according to the Teno^r of the said bill or Writeing obligatory, although often thereunto Required, but the same to Render and pay hath denyed and as yet doth denye to the Damage of the said James Six thousand pounds of tobacco, and thereupon hee bringeth his suite

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And the said Robert Thompson by Henry Bonner his Attorney Cometh and Defendeth the force and Injury when &c and prayeth Liberty to imparle hereunto untill next Provinciaill Court and Itt is granted unto him the same day is given to the plt alsoe

Nowhere att this day to witt the Thirteenth day of May in the fifth yeare of the Dominion of Charles Lord Baltimore &c Annoq^o Dommi 1680 Cometh aswell the said p^t as the said Defend^t by theire Attorneys aforesaid and the said Defend^t by his said Attorney saith, That hee is not informed by the said Defend^t of any answere of him to the p^{ts} Action to bee given & nothing else saith thereupon By w^{ch} the aforesaid p^{ts} Remaineth against the said Defend^t thereof wholly undefended, Therefore Itt is Considered that the said James Neale Recover against the said Robert Thompson aswell the aforesaid sume of Three thousand five hundred pounds of Tobacco Deb^t as alsoe ffiue hundred Eighty seven pounds of Tobacco for Costs of suite. And the Defend^t in mercy &c:

Jn ^o Peerce Ex ^r of Jn ^o Peerce	} Thomas Hedge late of Baltimore County otherwise Called Thomas Hedge of the County of Baltimore in the Province of Maryland
ag ^t	
Thomas Hedge	

chant was summoned to answere unto John Peerce Exec^r of the Last will and Testam^t of John Peerce dec^d in a plea that hee Render unto him the sume of ffoure thousand five hundred and Tenn pounds of Tobacco W^{ch} from him hee unjustly detaineth

And Whereupon the said John Peerce by Kenelme Cheseldyne his Attorney sayeth that Whereas the said Thomas Hedge the sixth day of Aprill in the yeare of our Lord one Thousand six hundred seaventy six did by his Certaine writeing obligatory Sealed wth the

seale of him the said Thomas here in Court pduced whose date is the same day and yeare Above Written, binde himself his heires Executo^{rs} Adm^{rs} and Assignes, the sume of foure thousand five hundred and tenn pounds of good sound Marchantable Tobacco according to the Act of Assembly to bee paid on the tenth day of October next Ensueing or after on all Demands in the said County of Baltemore Conveniently neare the water side wth Caske to Containe the same, and to the true performance thereof. did thereunto sett his hand and seale, Notwthstanding w^{ch} the said Thomas Hedge the said sume of foure thousand five hundred and tenn pounds of Tobacco to him the said John Peerce in his Life time hath not paid, nor to the said John Peerce Since his Death Executor of the Last will and Testament of the said Jn^o Peerce deceased according to the Teno^r of his said Obligation though often thereunto required, but the same to pay hitherto hath and still denyes to pay to the Damage of the said John the sume of Seaven thousand pounds of Tobacco, & Thereupon hee bringeth his suit, And the said John Peerce bringeth here in Court the Lesters Testamentary of the said Jn^o Peerce deceased That Itt may appeare to the Court here that hee is Ex^r of the Last will and Testament of the s^d John & thereupon to have Administracon

Liber W. C.

And the said Thomas Hedge by Robert Carvile his Attorney Cometh & defendeth the force and Injury when &c And prayeth Liberty to Imparle hereunto Untill next Provinciaall Court, and Itt is granted unto him The same day is Given to both partyes

Now here att this day to witt the Thirteenth day of May in the fifth yeare of the Dominion of Charles Lord Baltemore &c Annoq Dommi 1680 Came the said partyes by theire Attorneys aforesaid and the said Thomas Hedge by his said Attorney saith That hee Cannot gainsay the aforesaid ac^{con} of the said John Peerce for that hee hath not paid to the said Jn^o Peerce the said sume of ffoure thousand five hundred and tenn pounds of Tob: in discharge of the said Recited Writeing Obligatory According to the forme and effect thereof, Therefore Itt is Considered by the Court here That the said John Peerce Recover against the said Thomas Hedge, The afores^d Deb^t of ffoure thousand five hundred and Tenn pounds of Tobacco, & alsoe ffive hundred and Twenty pounds of Tobacco Costs of suite Soe that Execution thereof Cease untill the Tenth day of October next, And the said Thomas Hedge in Mercy &c

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George Yate Adm ^r of	} William Cromwell late of Baltemore County
Robert Wilson	
ag ^t	
W ^m Cromwell	

Plant^r was sumoned to Answere unto George Yate Adm^r of the goods & Chattells of Robert Willson dec^d of a plea Wherefore wth force and Armes the goods and Chattells of him the said George To witt one gray Gelding w^{ch} were of the prop goods and Chattells of the said Robert Wilson att the time

Liber W. C. of his death and to him the said George by Reason of the Administracon aforesaid of Right belong, he tooke and unjustly Detained against suretyes & Pledges &c

And Whereupon the said George Yate by George Parker his Attorney sayth that Whereas the said William Cromwell upon the one and twentyeth day of November in the third yeare of the Dominion of the R^{tt} hono^{ble} Charles Absolute Lord and Prop^{ry} of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c Annoq Domini 1678 Att Patapsco in the County of Baltemore wth force and Armes the goods and Chattells of him the said George unto him the said George by reason of the Administracon aforesaid of Right belong, To witt) one gray gelding W^{ch} were of the prop goods and chattles of the said Robert Wilson, hee tooke and unjustly detained against Suretyes and pledges, In hinderance of the Administracon aforesaid Whereupon hee saith hee is Damnified and hath Losse to the Vallue of three thousand pounds of Tobacco, And thereupon hee bringeth his Suite

And the said George Yate bringeth in Court his Letters of Adm^{ion} aforesaid Whereby Itt doth appeare to the Court here that hee is Rightfull Administ^r

And the said William Cromwell by Robert Ridgely his Attorney Cometh and Defendeth the force and Injury when &c and Prayeth Liberty to imparl hereunto untill next Provinciaall Court and Itt is granted unto him the same day is given to the pⁿ alsoe

Now here att this day to witt the Thirteenth day of May in the fifth yeare of the Dominion of Charles Lord Baltemore &c Annoq Domini 1680. Came the said partyes by theire Attornyes aforesaid and the said William Cromwell by his said Attorney saith, That hee the said William doth well Avow the takeing and Detaining of the grey Gelding aforesaid, and Justly Because hee Sayth that the said Gray gelding was the pp gelding of Richard Mascall late of Baltemore County deceased, and that the said Richard att the time of his death was the true and Rightfull owner of the same Grey gelding, and the said William after the death of the said Richard, to witt the Six and twentyeth day of September 1679 had Adm^{con} of all and singuler the goods Rights and Creditts w^{ch} were of the said Richard Mascall to him Comitted by the hono^{ble} Philip Calvert Esq^r Commissary gen^{ll} and Judge for probate of wills and granting Adm^{cons} wthin this Province of Maryland, and soe the said Grey gelding to him the said William as Adm^r of the said Richard Mascall doth of Right belong & appertaine, and therefore the takeing and Detaineing of the grey gelding aforesaid hee the said William doth well Avow, and Justly because hee is Adm^r of the said Richard Mascall informe aforesaid, and the adm^{con} to him granted upon the Estate of the said Richard Mascall, the said W^m here in Court pduceth, that Itt may appeare to the Court here that hee thereof hath the Administracon

And the said George Yate by his Attorney aforesaid Saith That the abovesd William Cromwell for the Reason before Alleadged, the takeing and detaineing of the Grey Gelding aforesaid Justly hee ought not to Avow, Because as aforesaid hee saith That the gray Gelding aforesaid in the Declaracon aforesaid above specified att the time of the takeing and Detaineing of the said gray Gelding Were of the proper goods and Chattells of him the said Robert Willson, and unto the said George Yate by vertue of his Letters of Adm̃con of the goods and Chattells of the said Robert Wilson of Right belong and apptaine as hee hath Above Declared, And this hee prayeth may bee Inquired of by the Country, and The p^lt Likewise

Liber W. C.

Therefore Itt is Comanded the sheriffe of st Maryes County That hee Cause to Come here Twelve &c by whome &c and Who neither &c to Recognize &c Because aswell &c w^{ch} Juro^{rs} being Impannelled and Called Came (to witt) Sam^l Raspin, Philip Lynes, Randall Hanson, Jn^o Martindaile, Thomas Keeting, Edward Ward, Daniell Clocker. Thomas Tillett, Jenkin Morgan Henry ffernley, Thomas ffolkes, James Pattison, Who being Elected tryed and sworne to say the truth in the premisses Upon their oathes doe say That the Gray gelding aforesaid att the time of the takeing and Detaineing the same was the proper goods and Chattells of the said George Yate Adm^r of the said Robert Wilson, for W^{ch} the said George Yate his Damages by occasion of the takeing and Unjust Detaineing of the grey gelding aforesaid against the said William Cromwell ought to Recover, But because Itt is unknowne What Damages, the foresaid George Yate hath sustained by that Occasion, Therefore Itt is Ordered that a writt of Inquiry of Damages Issue Returnable att the next Provinciaall Court

May y^e 12th 1680

This Court takeing into Consideration the miserable and distressed condition of Anne Williams Late Sarvant to Eman^l Ratcliffe of this County, Doth Order That the Constable of st Georges hundred, Doe & is hereby comanded and required to Carry the said Ann Williams to the next County Court to be held in S^t Maryes County that the Comiss^{rs} of y^e sd County Court may allowe unto her the s^d Ann to bee paid yearely unto her such quantity or sume of tob. for her maintinance and Releife as to the said Comission^{rs} shall seeme meet and Convenient

To the Hono^{ble} The Justices of the Provinciaall Court.

The Humble Peticon of Elizabeth Cannee

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Humbly Sheweth

That yo^r Peticon^r Peticoneing last Court for her freedome, by virtue of a Receipt from Jn^o Lácompt sonne in Lawe to Marke

Liber W. C. Cordea, The said Receipt was by this Court Invallid, and the said Marke was by Order of this Court debarred from takeing any Advantage against your Peticoner for the time she absented her self by Vertue of the said Receipt, and yo^r Peticon^r Ordered to serve the said Marke Cordea till the Expiration of her Indenture W^{ch} yo^r Peticoner hath honestly performed, and ought to have beene free the Sixth day of May Instant, as by the Order of this Court Remaining upon Record in the same Court & yo^r peticoners Indentures ready in Court to be produced may appeare Yet the said Marke Cordea refuses to give Yo^r Peticoner a discharge or to pay her, her freedome Corne and Clothes, Yo^r Peticoner Therefore humbly Prayes an ord^r of this Court against the Said Marke Cordea for her freedome, freedome Corne and Cloathes, And that upon Refusall of the said Marke to make payment thereof she may have Execution for the same

And yo^r Peticoner shall Pray &c :

W^c ^hbeing Read and heard, and the aforesaid Marke Cordea being here present in Court Itt is the Judgm^t of the Court here this day, to witt the 14th day of May in the fifth yeare of the Dominion of the R^{tt} hono^{ble} Charles Lord Baltemore &c Annoq Dommi 1680 That the aforesaid Elizabeth Cannee is free, And Itt is Ordered that the aforesaid Marke Cordea pay unto her the s^d Elizabeth her freedome Corne and Cloathes

John Machen	} William Chandler gentl high sheriffe of the
ag ^t	
William Chandler	} County of Charles County was attached to
	} answe're unto Jn ^o Machen Marchant of a plea
	} of trespas upon the Case

And whereupon the said Jn^o Machen by George Parker his Attorney Complaineth That Whereas one John Sanders Late of Bristol Marchant the Seaventh day of September in the yeare of our Lord 1676, by his Certaine writeing obligatory was bound and firmly obliged unto the said John Machen in the Sume of ffoure hundred pounds of Currant and Lawfull money of England, for the true payment, of Two hundred pounds of like Lawfull money of England, To bee paid unto the said Jn^o Machen or to his Ex^{rs} Adm^{rs} or Assignes att or upon the Tenth day of Aprill then next ensueing the date of the said bill obligatory, and for the true performance thereof the said John Sanders did thereby binde himselfe his Ex^{cutors} Adm^{rs} and assignes firmly by those p^sents, As by the same bill obligatory more plainly appeareth, w^{ch} said Two hundred pounds the said John sanders did not pay unto him the said John Machen on the said Tenth day of Aprill W^{ch} att or upon the same day hee ought to have paid, according to the fforme & Effect of the same bill obligatory Although hee hath beene often thereunto Required Whereby an Accon Did accrue unto the said John Machen to require and have of the aforesaid Jn^o Sanders ffoure hundred

pounds Sterl. and for the more speedy recovery of the same ffoure hundred pounds Sterl The said John Machen by George Parker his Attorney The sixth day of December in the third yeare of his Lopps Dominion, and in the yeare of our Lord god 1677 Then and Continually afterwards had psecuted out of his Lo^{pps} Provinciaall Court of this Province a certaine Writt of Capias of his said Lo^{pp} Directed to the then sheriffe of Charles County by w^{ch} Itt was Comanded to the Said then sheriffe That hee should take the aforesaid Jn^o Sanders if hee should bee found in his Baliwick and him safe Keepe soe that hee might have his body before his Lopps Justices of the Provinciaall Court to bee held att the City of st Maryes the Twentyeth day of ffebruary then next to Answere unto John Machen of a plea that hee Render unto him the sume of foure hundred pounds of Currant and Lawfull money of England and that hee Should have here then that Writt, To the Intent that the said John Machen in the said Provinciaall Court of his Lopp might Declare prosecute and Recover against the said John Sanders the debt of foure hundred pounds Sterling money aforesaid W^{ch} said Writt of Capias the said John Machen by George Parker his Attorney Afterwards & before the Returne of the said Writt of Capias that is to say the Eighth day of January 1677 aforesaid in the County of Charles County aforesaid unto the said William Chandler then being sheriffe of the said County delivered in forme of Lawe to bee Executed, By Reason of w^{ch} said Writt of Capias, The said William Chandler then being Sheriffe of the aforesaid County of Charles County Afterwards to Witt the first day of ffebruary in the said third yeare of his Lo^{pps} Dominion &c Att Portobacco within the County aforesaid The said John Sanders for the Cause aforesaid Did take and Arrest and the said John Sanders for the Cause aforesaid in fforme aforesaid hee the said William Chandler then being sheriffe of Charles County aforesaid Afterwards to Witt The twelfth day of ffebruary 1677 before his Lo^{pps} Justices of his Provinciaall Court aforesaid att the City of st Maryes afores^d according to the Teno^r of the said Writt of Capias then and there had, W^{ch} said Justices of the Provinciaall Court aforesaid afterwards to witt the fourteenth day of the same moneth of ffebruary in the third yeare of his Lo^{pps} Dominion. By speciall Order of the said Court. the said John Sanders Did Remand and Comitt to the Custody of the said William Chandler, Then sheriffe of Charles County aforesaid To bee by him the said William in safe Custody Kept untill hee had given Special bayle to Answere the aforesaid Accon of the said John Machen for the ffoure hundred pounds sterling aforesaid, By Vertue of w^{ch} said Order of Court the said William Chandler then sheriffe of Charles County aforesaid The said fourteenth day of ffebruary the same John Sanders into his hands and Custody did take, and him the said John sanders by vertue of the same Order of Court in the safe Custody of him the said W^m Chandler at Por-

Liber W. C.

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Liber W. C. tobacco aforesaid Did Detaine and Keepe untill the ninth day of Aprill 1678 Att w^{ch} said ninth day of Aprill 1678 his Lopps said Justices of his Provinciaall Court att a Court then held for this Province Att the Citty of st Maryes aforesaid, The aforesaid Speciall Order of Court did Review and Continue, By vertue whereof the said William Chandler then sheriffe as aforesaid, the body of the said John Sanders in safe Custody did detaine and Keepe in manner and forme aforesaid untill the Eleaventh day of June in the yeare of our Lord 1678 Att w^{ch} said Eleaventh day of June 1678 his Lopps said Justices of his said Provinciaall Court Att a Court then held for this province att st Maryes aforesaid the aforesaid speciall Order of Court Did againe Renew and Continue, By vertue Whereof hee the said William then Sheriffe as aforesaid, the body of the said

p. 187 Jn^o Sanders into safe Custody of him the said William did take, and the same John in safe Custody of him the said William then Sheriffe as aforesaid att Portobacco afores^d in Charles County aforesaid the fifteenth day of June 1678 did hold and Detaine, And the said John Machen further sayth, That afterwards to witt the said fifteenth day of June 1678 Att the Dwelling house of him the said William in Portobacco in Charles County aforesaid, hee the said William then being sher. of Charles County as aforesaid & the said John Sanders being then and there in his the said Williams Custody as aforesaid hee the said William did Voluntarily Suffer the said John sanders to goe att Large and make his Escape forth of the said Custody of him the said William Chandler Wthout the Knowledge Lycence or Consent of him the said John Machen hee the said Jn^o Sanders not haveing paid the said Debt of ffoure hundred pounds sterl. or produced or given speciall bayle to Answer the aforesaid Accon of him the said Jn^o Machen According to the Teno^r forme and effect of the aforesaid speciall Order of Court Now Remaining upon Record in the Secretaries office of this Province By Reason whereof the said John Machen not onely of his accon aforesaid against him the said John Sanders is Altogether frustrated and Disappointed but alsoe by skulking and Absconding of him the said John Sanders in Places unknowne Occasioned by the Escape aforesaid soe permitted by the said W^m Chandler then Sheriffe of Charles County as aforesaid Hee the said John Machen is Utterly Defeated of his Debt aforesaid, and Totally Disabled to Recover the same of him the said John Sanders Whereupon hee saith hee is the Worse and hath Dammage to the Vallue of ffive hundred pounds sterling And thereupon hee brings his suite

And the said William Chandler by Robert Ridgely his Attorney Cometh and Defendeth the force and Injury when &c and Prayeth Liberty to Imparle hereunto untill next Provinciaall Court and Itt is granted unto him the same day is given to both partÿes

Now here att this day to witt the fourteenth day of ffebruary in

the fifth yeare of the Dominion of the R^{tt} hono^{ble} Charles Lord Baltemore &c Annoq̃ Domini 1679 Came the said parties by their Attorneys aforesaid, and the said William Chandler by his said Attorney sayth, That hee is not guilty of the p^rmisses above Imposed upon him by the said Plt & of this hee puts himselfe upon the Country, And the plt alsoe

Liber W. C.

Therefore Itt is Comanded the Sheriffe of st Maryes County that hee Cause to Come here Twelve &c by whome &c and who neither &c to recognize &c because aswell &c On w^{ch} said fourteenth day of ffebruary Came the said parties by their Attornys aforesaid, and the Juro^{rs} Impannelled being Called Likewise Came to witt Thomas Cosden, George Godfrey, Joseph Tilley, William Thomas, Marmaduke Semme, Sam^{ll} Holdsworth, John King, James Lewis, Thomas Sedwick, George Holland Robert Mason, & ffrancis Corbett, Who being Elected Tryed and Sworne to say the truth in the p^rmisses Upon their oathes doe say. That the said William Chandler is not guilty of the premisses above Imposed upon him, W^{ch} Verdict of the Juro^{rs} aforesd being heard The plt by his Attorney aforesaid moved the Court here in arrest of Judgm^t, Day is thereupon given to both partyes untill next Prov^{ll} Court

Att w^{ch} said next Provinciaall Court to witt the thirteenth day of May in the fifth yeare of the Dominion of Charles Lord Baltemore &c Annoq̃ Domini 1680 Came the said parties by their Attorneys aforesaid, and the sd p^r saith nothing in barr why Judgm^t should not be Entred up upon the Verdict of the Juro^{rs} aforesaid Therefore Itt is Considered that the said John Machen take nothing by his Writt but bee in mercy for his false plaint thereon, and the said William Chandler may goe from thence without day and alsoe That the said William Chandler may Recover against the said John Machen the sume of two thousand Eight hundred ninety & Eight pounds of Tobacco for his Costs and Charges by him about his Defence in this behalf Laid out and Expended, and the said William Chandler may have thereof Execution

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Abraham Blagg who	} Bee Itt Remembred that Abraham Blagg gentl
aswell &c	
ag ^t	
Gerrard Slye	} Prop ^{ry} as for him self in this behalfe prosecuteth Came here into Court this Seaventeenth day of October in the yeare of our

Lord 1679, & Exhibited to the Justices there a Certaine Information ag^t Gerrard Slye Gentl, The Teno^r of w^{ch} Information followeth in these Words,
Maryland ss:

Gerrard Slye gentl late of st Maryes County was sumoned to answe^r unto Abraham Blagg gentl, Who aswell for the R^{tt} hono^{ble} the Lord Prop^{ry} as for him self in this behalfe prosecuteth upon the Act for Limita^{ti}on of officers ffees,

Liber W. C.

And whereupon the said Abraham Blagg who aswell for himself as for the Lord Prop^{ty} ffolloweth in his proper person and giveth the Court here to understand and to bee Informed, That Whereas by an Act of Assembly made att an Assembly begunn and held att the City of st Maryes the sixteenth day of May 1676, Intituled an Act for Limitacon of officers ffees, Itt is thereby amongst other things therein Conteyned Enacted by the Rth hono^{ble} The Lord Prop^{ty}, by and with the advice and Consent of the Upper and Lower howses of that present generall Assembly That from and after the publication thereof noe officer or officers thereafter mentioned in the said Act, Their Ministers Sarvants or Deputies by Reason or Collour of his or their office or offices have Receive or take of any person or persons Directly or indirectly any other ffees then by the said Act is thereafter Limitted and Allowed to the severall officers thereafter mentoned That is to say to the Sheriffe for Serving any Writt or warrant p head and bayle bond 35th Tobacco, for Impaneling a Jury 120th Tobacco, To the Cryer for swearing the Jury 144th Tobacco, for every witsnesse Twelve pounds of Tobacco, & in Case any shall doe Contrary to the said Act Directly or Indirectly shall Loose and forfeit to the party greived Treble damages, and shall also forfeite the sume of Six thousand pounds of Tobacco or forty pounds sterl. for Every time hee or they shall soe doe the Contrary, The one moyety to the Lord Prop^{ty} his heires and Successors, The other moyety to the party or parties that shall sue for the same, by any plaint accon suite bill or Information Wherein noe Essoyne proteccon or Wager of Lawe Shall bee Allowed, as by the said Act may more att Large appeare, Yet Notwithstanding the said Gerrard Slye late Sheriffe of the County of st Maryes, the said Act and the penaltyes therein Contained Little regarding, Hee the said Gerrard Slye upon the fourth day of Aprill in the yeare of our Lord 1678 being sheriffe as aforesaid Did demand Receive and Extort from the said Abraham Blagg these Sumes ffollowing for fees Due to him the said Gerrard, and by him p^rtended to bee paid to seaverall officers To witt, ffor Impannelling a Jury 240th Tobacco To sumoning the Evidences 720th Tobacco, To Officers ffees 988th Tob, To the Cryer for the Jury 288th Tob, To sweareing the Evidences, 144th Tobacco, To the Jury 240th Tob. All w^{ch} said seaverall sumes

p. 189 Amount in the Whole to the [sume] of Two thousand six hundred and Twenty pounds of Tobacco, against the forme of the Act aforesaid, Whereupon the said Abraham Prayeth the Advice of the Court here in the premisses, and that the said Gerrard may forfeit for his said offence the said Sume of Six thousand pounds of tobacco, and that hee the said Abraham Who aswell for the Lord Prop^{ty} &c Prosecuteth may have the said moyety of the said Six Thousand pounds of Tobacco to him Adjudged as alsoe his Treble Damages aforesaid W^{ch} Amount unto the sume of seaven thousand Eight hundred and Sixty pounds of Tobacco according To the forme of

the statute aforesaid, And that the said Gerrard may Come here into Court and Answer the Premisses Liber W. C.

And the said Gerrard Slye by Christopher Rousby his Attorney specially Admitted by the favour of this Court Cometh and defendeth the force & Injury when &c and Prayeth Liberty to Imparle hereunto untill next Provinciaall Court & Itt is granted unto him, The same day is given to the pth alsoe,

Now here att this day to witt the fourteenth day of May in the fifth yeare of the Dominion of Charles Lord Baltemore &c Annoq Domini 1680, Came the s^d parties by theire Attornyes aforesaid, and the said Gerrard by his said Attorney Prayeth hearing of the said Information, and Itt is Read unto him, Wth being read and by him Understood the said Gerrard Complaineth him by Collour of the p^rmisses to bee greivously molested, and that unjustly, And that the said Information & the matters therein Contained are Utterly uncertaine Imperfect and Insufficient in the Lawe. To wth hee the said Gerrard is not obleiged by the Lawe of the Land to make answer unto, and therefore the said Gerrard Prayeth Judgment of the writt and Information aforesaid

(1) ffirst for that Itt is sayd in the same Informacon That the said Gerrard Slye the 4th day of Aprill 1678 Did demand Receive and take from the said Abraham Blagg the sumes following for ffees due to him the said Gerrard, and by him p^rtended to bee p^d to seav^{ll} officers Viz ffor Impannelling a Jury 240^{lb} Tobacco, sumoneing the Evidences 720^{lb} Tobacco Officers ffees 988^{lb} Tobacco, To the Cryer for the Jury 288^{lb} Tobacco swearing the Evidences 144^{lb} Tobacco, and to the Jury 240^{lb} Tobacco, But it is not Expressly and particularly sett Downe What ffees or sumes of Tobacco hee the said Gerrard Received as due to himselfe as sheriffe, And what is pretended to bee Due to other officers And as to what is said to bee p^rtended to bee due to or paid to officers Wherewth the said Gerrard is Promiscuously Charged as aforesaid, The said Gerrard sayth that the same is not sufficiently warranted by the Act for Limitacon of officers ffees, for that the said Act sayth noe officer or officers by Collour of his or theire office or offices Shall haue receive or take any other ffees &c, but the Receiveing and takeing of ffees by a sheriffe due to other officers and soe declared to bee Cannot bee understood to bee taken by Collour of the Sheriffes office, but rather by Collour of such officers office or offices to whome such fee or ffees are said to bee due, and therefore the same is not wthin Compas of the said Act for Limitacon of officers ffees

(2) The said Informer in his said Informacon saith the said Gerrard Received for officers ffees 988^{lb} Tobacco, but doth not name the said officers or Expresse what office or offices they held or what Court or Courts they belonged to, and Itt is not unlawfull for sheriffes (any more then other persons) to demand and Collect other officers ffees (wth theire Consents) and If the same happen

Liber W. C. to be overcharged Itt is the folly of ye Debito^r if hee pay more then his due to any person wthout Execution, and for the said Gerrard to Collect 988^{lb} of Tobacco for the ffees of any Lawfull officer by order or Consent of the same officer is in him noe breach of the Act for Limitacon of officers ffees.

p. 190 (3) Itt is not mentioned in the said Information for what those fees were p^rtended to bee due which are Alleged to amount to 988 pounds of tobacco, and soe Itt Cannot possibly bee Judged by any thing that appeares, Whether the same doe Exceed fall short or agree with the Limitacon of the said Act, & by Reason of that Uncertainty noe Conclusion or Judgment Can bee given or grounded thereupon And soe the said Informa^con of the breach of the said Act of Limita^con of offices fees is Vitius imperfect and uncertaine

(4) The said Informer in his said Informa^con Chargeth the said Gerrard to have Received for sumoning of Evidences 720^{lb} of Tobacco, but doth not Expresse how many Evidences Were pretended to bee Sumoned or in What actions or Causes or by whome the same were sumoned or p^rtended to be sumoned, and soe if any such sune Were Received for sumoning Evidences Itt might bee due to y^e Coroner or Coroners &c And If itt were supposed to be due to the Sheriffe, Yet the said 724^{lb} of Tobacco may as Possibly bee Lesse as more then is allowed by the Limitacon of the said Act for officers ffees, and the same ought by Lawe to bee Intended to bee according to the Limitacon of the Act for officers fees since the Contrary appeares not, And all pleas ought to bee taken most strictly against the pleader, Therefore the s^d Information is uncertaine and Insufficient

(5) For that the said Informer doth not sett forth in his said Informacon in what suite or suites Ac^con or ac^cons or betweene What persons or in what Court or Courts of this Province the same suite or suites Accon or ac^cons were or are Depending for w^{ch} the ffees aforesaid or any of them for y^e pceedings aforesaid are Supposed to bee p^rtended to bee due, Whereby the said Gerrard Slye the Defend^t is disabled to have Recourse to the Records of the same Court or Courts if any such there Were for his Ayde or Justificacon If the Case soe required, and Without such shewing forth the defend^t shall bee Lyable by any other person to bee againe Informed against for the same matter Wch would bee against Lawe, Therefore the said Information is Vitious Imperfect & Insufficient

(6) Itt is not att all Expressed or Declared and sett downe in the said Information in what place or in What hundred or in What County of this Province The s^d pretended breach of the said Act of Limitation of officers ffees was by the said Gerrard Slye Comitted as by the Lawe Itt ought to have bene done, The not doing whereof being directly Contrary to the forme of the Statute of the 31th of Elizabeth Chapt^r the 5th Section the 2^d, Therefore the said Informa^con is Utterly Voyd and Insufficient

All which the said Gerrard is Ready to Avert and Therefore Prayes Judgment as aforesaid of the said writt and Information, and that the same may bee Quashed Liber W. C.

And the said Abraham who aswell for the Lord Prop^{ty} as for himselfe in this behalfe prosecuteth Sayth. That hee by any thing in the plea of the aforesaid Gerrard from haveing his Accon aforesaid against him the said Gerrard ought not bee barred, and by Protestacon, not acknowledging any thing in the plea of the aforesaid Gerrard by him before pleaded to bee true in manner and forme as the said Gerrard in the plea of him the said Gerrard, by him above pleaded hath pleaded, for Replicacon saith as formerly hee hath said, that the said Gerrard hath Received and Extorted from the said Abraham Blagg by Collo^r of his office of sheriffe of st Maryes County aforesaid, the said sume of two thousand six hundred & twenty pounds of Tobacco in manner & forme aforesaid & Contrary to the Act of Assembly aforesaid As in the Informacon afores^d is menconed And this hee prayeth may bee Enquired of by the Country.

And the said Gerrard Slye by his Attorney aforesaid saith as before in his Said plea hee hath said, & for the reasons in the said plea Contained That the said Information for the Incertaintyes Insufficiencieyes and manifest Imperfeccons therein Contained Ought to bee quashed, and further that the p^{lts} Replication to the said plea, and the matter therein Contained is not Sufficient in Lawe to bee Answered unto, for that the Defend^t in his Said plea pleads the Insufficiency of the Information W^{ch} the Court ought to give Judgm^t upon, The Court being Judges of the Vallidity or Invalidity of the Information and not the Jury, And thereupon Demurres in Lawe p. 191

And the said Abraham Blagg who aswell &c Sayth) in that hee sufficient matter in Lawe for him the said Abraham of his Action aforesaid ag^t him the said Gerrard to bee had ought not to bee precluded, but that the Replication aforesaid is sufficient in Lawe, and this hee is ready to Verifie, & therefore hee Demands Judgment of the Court, And the Defend^t Likewise W^{ch}

being Read and heard & by the Justices here fully Understood, Itt Seemeth to the same Justices here, That the informacon aforesaid is sufficient in Lawe to maintaine the Accon of the said Abraham who aswell &c Whereupon the aforesaid Gerrard by his Attorney aforesaid moved in arrest of Judgment W^{ch} not being allowed of by this Court, Therefore Itt is Considered That the Lord Proprietary of this Province, and the said Abraham Blagg who aswell for the said Lord Prop^{ty} as for himself in this behalfe followeth, may Recover against the said Gerrard Slye the Summe of six thousand pounds of Tobacco or forty pounds ster^l being the forfeiture upon the breach of the act aforesaid Whereof the said Lord

Liber W. C. proprietary may have three thousand pounds of Tobacco or Twenty pounds sterling for his moyety, And the said Abraham Blagg who aswell &c the other Three thousand pounds of Tobacco or twenty pounds sterling for his moyety, And Itt is further ordered that the aforesaid Abraham Blagg May Recover against the said Gerrard Slye his treble Damages sustained by occasion of the premisses Amounting to the sume of seaven thousand Eight hundred and sixty pounds of tobacco according to the forme of the Act aforesaid, And also one thousand forty Two pounds of Tobacco Costs of suite, And the said Defend^t may be taken

M^r Carvile

21 June 1680

I understand there is Judgm^t obtained by Abraham Blagg Who aswell on my behalfe as on his own hath prosecuted upon breach of the Act Concerning officers ffees, ag^t Gerrard Slye late Sheriffe of S^t Maryes County, I doe hereby Lycence you as you were Attorney for the said Blagg in the Informacōn to Sue out Execution for the whole penalty, aswell due to mee the said Blagg, and this Shall bee yo^r warrant

To Robert Carvile one of the
Attornyes of the Prov^l Court

C Baltemore

Jn^o Lemarre } Memorandum That att a Provinciall Court held att
ag^t } the City of st Maryes the Tenth day of ffebruary
Geo: Godfrey } in the fifth year of the Dominion of Charles Absolute Lord & Proprietary of the Provinces of Maryland and Avalon Lord Baltemore &c Annoq^o Domini 1679 Before his Lo^{pps} Justices there Came, John Lemarre of Charles County Chirurgion by Robert Carvile his Attorney and Exhibiteth to the Court here a Certaine Transcript of the Record of Charles County Court in a Cause Late there depending between George Godfrey of Charles County and the said John Lemarre Defend^t of a plea of Trespas of the Case—The Teno^r of w^{ch} Record followeth in these Words

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Charles County ss:

Charles absolute Lord and Prop^{ty} of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c To the sheriffe of this County greeting. To Comand you to take the body of John Lemarre If hee may bee found w^{thin} yo^r Baliwick & him in safe Custody Keepe, soe that you may have his body before his Lopps Justices att the next Court to bee held in this County on the twelfth day of August next, There to answeere to George Godfrey in a plea of trespas on the Case Hereof faile not & have you there this writt, Given under the Seale of the County this thirteenth day of June, in the ffourth year of his Lo^{pps} Dominion &c Annoq^o Dommi 1679

Entrd p. Rand^o Brandt Clke

sher: Ret.

Liber W. C.

I haue taken the wthin mentioned John Lemarre Whose body I have Ready As I am Required W^m Chandler sher.

Att a Court held in Charles County for the R^{tt} hono^{ble} Charles Absolute Lord and Prop^{ry} of this Province of Maryl^d &c before his Lo^{pps} Justices of the said County on the Twelfth day of August Annoq Domini 1679

Pr^sent { M^r Henry Adams } { Cap^t Humphr. Warren } Comiss^{rs}
 { Cap^t William Barton } { M^r Robert Doyne }

In an accon Depending betweene George Godfrey p^t and John Lemarre def^t is Continued untill next Court By Order of Court

Att a Court held in Charles County for the R^{tt} hono^{ble} Charles Absolute Lord and Prop^{ry} of this Province of Maryland &c before his Lo^{pps} Justices of the said County, on the thirtieth day of September. Annoq Domini 1679

Pr^sent { M^r Henry Addames } { Cap^t William Barton } Comiss^{rs}
 { M^r John Stone } { Cap^t Humphr. Warren }
 { Cap^t Ignatius Causeen } { M^r Robert Doyne }

In an accon depending between George Godfrey p^t and John Lemarre Defend^t in a plea of Trespas on the Case in and about falling of seaverall Timber Trees, Itt is ordered by the Court that a Venire facias Issue forth to the sheriff of this County To Impannell a Jury of the Neighbourhood. to goe along wth the Surveyo^r of this County to See the Lines of a tract of Land betweene the Lines of the said George Godfrey and John Lemarre Runn out, and to see if there bee any Damage, and to Enquire What the Damages are, and by Whome Comitted, and to Returne the same under their hands and seales att the next Court to bee held in this County, On the Eleaventh day of November next

Att a Court held in Charles County for the R^{tt} hono^{ble} Charles absolute Lord and Prop^{ry} of this Province of Maryland &c before his Lo^{pps} Justices of the said County on the Eleaventh day of November Annoq Domini 1679

p^rsent. M^r Henry Adames } M^r Jn^o Stone }
 M^r Rob^t Henly } Cap^t Igna. Causin }
 Cap^t W^m Barton } M^r Rob^t Doyne } Comiss^{rs}
 Cap^t Humph. Warren } M^r Jn^o ffaning }

In an Action Depending Betweene George Godfrey p^t and Jn^o Lemarre def^t the p^t Did produce in open Court und^r the hands and Seales of Robert Robin[s], Hamfrey Jones, John Gourelly, John Godshall, John Lambert, Garret Sinnett, Tho Craxtone, Richard Morris, William Wells, John Wood, Richard Hall & Peter fforendas, being Impannelled by the Sheriffe for a Jury according to the aforesaid Order of Court Which Juro^{rs} upon their oathes doe say, That they adjudge that the said John Lemarre (within the Reputed bounds of the said George Godfreys Land) Say that the said George Godfrey Is damnified by the seavth Timber Trees

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Liber W. C. and others to the Vallue of three Thousand pounds of Tobacco But upon Request of John Lemarre Def^t hee produceing his Pattent for his Land in Court and Averring Itt to bee oldest, the said Accon is Continued by Order of this Court untill next Court, That the said John Lemarre may pcure a Special Warrant from his Lopp to have his Land Runn out according to the said Lemarres Request, W^{ch} hee doth Engage in Court to gett Done by the next Court and Returne a Certificate of Survey und^r the Surveyo^{rs} hand.

Att a Court held in Charles County for the R^{tt} hono^{ble} Charles Absolute Lord and Prop^{ty} of the Provinces of Maryland &c before his Lopps Justices of the said County on the Twentieth day of January Annoq³ Dom. 1679

P^rsent { M^r John Stone } { Cap^t Ignatius Causeene } Comission^{rs}
 { M^r Rob^t Henly } { Cap^t W^m Barton }

Maryland ss:

John Lemarre of Charles County in the Province of Maryland Chyrurgion Was attached to Answer unto George Godfrey of the said County and Province of a plea of Trespas of the Case;

Whereupon, the said George Godfrey by George Thompson his Attorney saith, That the said Lemarre in the moneth of ffebruary in the yeare of our Lord 1678 into the woods of the said Godfrey Lyeing in Charles County on st Thomases Creeke Comonly Called Portobacco Creeke, Contrary to his Lo^{pps} Rule & dignity and the publique peace of this Province, by force and Armes did Come, and then and there Eight of the said Godfreys Timber Trees wth Axes did fall Cut off and wth Mall and Wedges Did into peeces Splitt and Carry away, and to his owne proper use and behoofe Convert the said Eight Timber Trees, to y^e Damage of the said Godfrey to the Vallue of Two thousand five hundred pounds of Tobacco, and there-upon hee brings his suite

And the said John Lemarre by Henry Bonner his Attorney Comes & Defends the force and Injury when &c and saith that hee is not guilty of the Transgression Within menconed, and of this hee puts himselfe upon the Country And the said George Godfrey by George Thompson his Attorney Likewise Whereupon a Venire facias was Issued forth to the Sheriffe to Impannell a Jury Who Returned this Ensueing Pannell

fforeman—Thomas Hussy } John Boyce }
 Giles Collier } Jn^o Clarke }
 James Wheeler } Jn^o Godshall }
 Tho. Craxtone } Henry Hawkins }
 W^m Taylor } W^m Wells } Juro^{rs}
 Hen. Hardy } Hugh ffrench }

Which Juro^{rs} being sworne Well and truly to trye the Issued Joyned, The p^{lt} produced in open Court the foregoeing Verdict of the former Jury und^r theire hand & Seales

p. 194 And the Defend^t did produce a Platt of his Tract of Land. and

Likewise of the Lands Adjoyning und^r the hand of Cap^t Rand^o Liber W. C. Brandt Dept^{ty} surveyo^r for this County, and Likewise the said Cap^t Rand^o Brandt Deputy surveyo^r Did attest and Avere in open Court that there was Damage Done on both side, but what the Damages were and by whome Comitted hee knowes not,

Whereupon the Jurors aforesaid Retireing a While They brought in this Ensueing Verdict, Wee finde for the Pl^t one thousand five hundred pounds of Tobacco damages with Costs of suite

Itt is Ordered hereupon by the Court that John Lemarre pay unto George Godfrey for Damages the sume of one Thousand five hundred pounds of tobacco with Costs of suite

Whereupon the said John Lemarre did desire an appeale to the Provinciaall Court in the aforesaid Accon. W^{ch} was granted by the Court hee the said John Lemarr Entring into bond unto the said George Godfrey in Double the sume adjudged Wth Two sufficient Securities according to an Act of Assembly in that Case made and provided Intituled an Act for Appeales & Regulateing of Error^{rs}, for the prosecution of the said Appeale att the next Provinciaall Court to be held in this Province att the Citty of st Maryes on the Tenth day of ffebruary next wth effect

W^{ch} accordingly hee did wth Phillip Hoskins, & W^m Theobalds gentl. both of this County

Copied p Cleoborne Lomax. sub. Clk.

Att w^{ch} said Tenth day of ffebruary came the said John Lemarre by Robert Carvile his Attorney & the said George Godfrey by Robert Ridgely his Attorney, and the said John by his Attorney aforesaid According to the Act of Assembly in that case made and Provided Intituled an Act for appeales and Regulateing writts of Error^{rs} offerreth to the Court here for Cause and Reason of his the said Johns Appealeing from the Judgment of the Court of Charles County aforesaid, for that the Record and proceedings before recited are manifestly Erronious in this

That the said County Court of Charles County according to the Lawes & Constitutions of this Province Cannot hold plea of any accon of trespas of this Nature, Touching any ffree hold whatsoever, nor is the Determination thereof and of the plea aforesaid, The same appeareing to Relate to the p^lts and defend^{ts} titles to Land, in the Record aforesaid mentioned, and the distinguishing of their bounds to their said Lands, for the finding out the suposed trespasse in the said Record menconed properly belonging to the Court aforesaid, Nor have the Justices of the said Court by vertue of any Comission to them from his Lo^{pp} granted, any Authority Power or Jurisdiccon by vertue of any Writt or writts Whatsoever To Sumon Cite or Call before them or the said George Godfrey to sue or Implead the said John Lemarre Touching any Trespasse or other thing Whatsoever to his free hold Relateing, Nor have the Justices aforesaid any Power or authority to order direct or appointe the sheriffe of

Liber W. C. their said County to Impannell any Jury or Inquest or any surveyor or Deputy surveyor to Runn out the Lines of any mans Land or to grant any speciall or other Warrant to any Surveyor or Deputy surveyor to Doe the same, or to make such Enquiry of Damages, or upon the Returne of any such Inquisicon to proceed to give Judgment upon the same, but the same Cause is onely and proply Tryable and Determinable In the provincially Court of this province
 p. 195 before the Justices here, And soe hee saith that the Judgment and Recovery aforesaid in the County Court aforesaid is Absolutely Voyd, & Coram non Judice, for Want of Jurisdiction aforesaid W^{ch} hee is Ready to Averre, and Prayeth that the said Judgment for the Reasons aforesaid and others in the Record & processe being may bee Reversed annulled and made voyd, and that hee unto all w^{ch} by occasion of the Judgment aforesaid Given hath Lost may bee Restored whereupon day is given to both parties untill next Provinciall Court

Att w^{ch} said next Provinciall Court to witt the fourteenth day of May in the fifth year of the Dominion of the Rth honorable Charles Lord Baltemore &c Annoq; Domini 1680 Came the said parties by their Attorneys aforesaid, and the Record processe proceedings and Judgment aforesaid With the Reasons for Reverseing the same being Read heard and by the Justices here fully understood, Itt Seemeth to the same Justices that the Judgment aforesaid for the Reasons aforesaid is Manifestly Erronious, Therefore Itt is Considered that the Judgment aforesaid for the Errors in the Record proces and Proceedings aforesaid Bee Revoaked Adnulled and altogether held for nothing, And that the same John Lemarre unto all things W^{ch} hee by occasion of the Judgment aforesaid hath Lost bee Restored, And that the said John Lemarre Recover against the said George Godfrey the sume of Nineteen hundred ninety one pounds of Tobacco for his Costs and Charges herein Laid out and Expended,

Roger Baker ag ^t	}	Michael Higgens late of Calvert County Planter
Michael Higgens		was attached to answere unto Roger Baker of a plea Wherefore with force and Armes the Close & Tobacco house of him the said Roger att st Leonards Creeke in the County aforesaid did breake & Enter and the grasse of the said Roger in the said Close growing to the Vallue of five pounds With his feete in walking Trod downe and Consumed, and foure hogsheads of picked & Culled Tobacco Containing Neate Nineteene hundred pounds in the s ^d Tobacco house found of the Vallue of Twenty foure pounds Sterling being the prop goods and Chattells of the said Roger Baker tooke and Carryed away, and other Enormities to him did doe to the great Damage of the said Roger Baker, and against the peace

And Whereupon the said Roger Baker by Robert Ridgely his

Attorney Complai[n]eth, That the aforesaid Michael Higgens the Liber W. C.
Tenth day of May in the yeare of our Lord 1679 With force
and Armes, the Close and Tobacco house of him the said Roger at
st Leonards Creeke in the County aforesaid did breake and enter,
and the grasse of him the said Roger in the said Close growing to
the Vallue of five pounds wth his feet in walking Trod downe and
Consumed, and foure hogsheds of picked and Culled Tobacco Con-
taining Neate Nineteene hundred pounds in the said Tobacco house
found of the Vallue of Twenty foure pounds Sterling, being the
prop goods & Chattells of the said Roger Baker took & Carried
away, and other Enormities to him did do to the greate Damage of
the said Roger Baker, and against the peace whereupon hee sayth
hee is Damnified and hath Lost to the Vallue of forty pounds ster-
ling and thereupon hee bringeth his suite

And the said Michael Higgens by Christopher Rousby his Attor-
ney Cometh & Defendeth the force and Injury when &c and Prayeth
Liberty to Imparle hereunto untill next Provinciaall Court an Itt
is granted unto him the same Day is given to the plt alsoe

Att w^{ch} next Provinciaall Court to witt the Seaventeenth day of p. 196
ffbruary in the fifth yeare of the Dominion of the R^t hono^{ble}
Charles Lord Baltemore &c Annoq; Domini 1679 Came the said
partyes by their Attornyes aforesaid and the said Michael Higgens
by his said Attorney sayth, That hee the s^d Michael is in noe wise
guilty of the Trespasse above said, in manner and forme as the
same by the said plt in his said Declaration is Suggested and of this
hee puts himself upon the Country, & the s^d plt Likewise

Therefore Itt is Comanded the Sheriff of st Maryes County that
hee Cause to Come here Twelve &c by whome &c who neither &c to
Recognize &c because aswell &c

On w^{ch} said Seaventeenth day of ffbruary in the yeare aforesaid
Came the said partyes by their Attornyes aforesaid, & the Juro^{rs}
Impannelled being Called Likewise Came to witt, Thomas Cosden,
Joseph Tilley, William Thomas, Marmaduke Semme, Sam^l Holds-
worth, John King, Richard Marsham, Thomas Sedwicks, George
Holland, Robert Mason, ffrancis Corbett, & James Lewis, Who
being Elected Tryed & sworne to say the truth in the p^misses upon
their oathes doe say That If this Court shall Judge the Receipt
to bee a good Receipt then they finde for the p^lt but if this Court
shall Judge the Receipt to bee noe good Receipt then they finde for
the Defend^t, And because the Justices here will advise themselves of
and upon the Verdict aforesaid before they give Judgment there-
upon A day thereof is given to the partyes aforesaid untill the
morrow following On w^{ch} day to witt the Eighteenth day of ffbru-
ary in the yeare aforesaid Cometh aswell the said plt as the said
Def^t by their Attorneys aforesaid And hereupon the Receipt afore-
said of the said Deft being Seene Itt seemeth to the same Justices
here that the same Receipt is a good Receipt And the said Michael

Liber W. C. by his Attorney aforesaid moved in arrest of Judgm^t, Day is thereupon given to both parties untill next Prov^l Court

Now here att this Day to witt the fourteenth day of May in the fifth year of the Dominion of Charles Lord Baltemore &c Annoq Domini 1680 Came the said part partyes by theire Attorneys aforesaid, And hereupon the Receipt aforesaid of the same Defend^t being Seene and Read, and Itt appearing unto this Court upon hearing of the Cause That the same was fraudulently and Deceitfully obtained, Therefore Itt is the Opinion and Judgment of this Court that the same is noe good Receipt And Itt is granted that the said Roger Baker take nothing by his writt but be in mercy for his false Claime thereupon and the said Michael Higgens may goe thereof without Day, and that the said Michael Higgens may Recover against the said Roger Baker The Sume of pounds of Tobacco for his Costs and Charges by him about his Defence in this behalfe Laid out and Expended

Maryland ss:

Att a Provinc^l Court held att the Citty of st Maryes the 13th day of May in the fifth year of y^e Dominion of the R^{tt} hono^{ble} Charles Lord Baltemore &c Annoq Domini 1680

	Present
	Philip Calvert Esq ^r Chancello ^r
The hono ^{ble}	Thomas Taylor Esq ^r
	Vincent Lowe Esq ^r Surveyo ^r gen ^l
	George Talbott Esq ^r
	W ^m Digges Esq ^r

p. 197 George Reid aged fourteene yeares the sonn of George Reid late of Calvert County dec^d Came into Court and Complained of the bad usage of him by M^{rs} Joane Wagheb and desired that hee might have the Liberty of makeing Choice of Hugh Johnson of Talbott County to bee his Guardian w^{ch} is accordingly Ordered and allowed of by the Court here:

ffeb^{ry} 11th 1680

Upon the Peticon of Richard Newman that hee was form^{ly} Sarv^t to Geo & ffrancis Beckwith decd, and had from the twelfth day of Aprill Annoq Domini 1676 three yeares and a halfe to serve & that the said time of servitude was Expired the fourth day of Novemb^r. last Yet Never the lesse Cap^t Gerrard Slys his p^sent Master Refuses to give him a discharge, and humbly Requested an ord^r of this Court for his freedom and freedome Corne and Cloathes, Whereupon Itt being made appeare to this Cou[rt] by a Certificate from of the Records of George Beckwiths Estate that the said Richard Newman is free, Itt is therefore the oppinion and order of the Court that the said Richard Newman is free, & Ordered that

Cap^t Gerrard Slye Satisfie and pay to the same Richard his ffrec- Liber W.C.
dome Corne and Cloathes

W^{ch} being read and heard Itt is Ordered by the Court here this
day To witt the Twelfth day of May in the fifth yeare of the
Dominion of the R^{tt} hono^{ble} Char[les] Lord Baltemore &c Annoq³
Domini 1680 That Execution Issue forth upon the aforesaid Ord^r
of Court

Garret Vanswearen } John Quigley late of st Maryes County other-
ag^t } wise Called John Quigley of the City of
John Quigley } st Maryes in the Province of Maryland Mar-
chant was sumoned to answer unto Garret
Vanswearingen of the City of st Mar[ies] Gentl of a plea that hee
Rend^r unto him fforthy three thousand one hundr^d pounds of Tobacco
W^{ch} to him hee oweth and Unjustly detaineth

And Whereupon the said Garret by Kenelme Cheseldyne his At-
torney sayth y^t whereas the said John upon the fifth day of May
in the yeare of our Lord 1677 by his Certaine bond or Writeing
obligatory Sealed Wth the seale of him the said John and here in
Court produced whose date is the day and yeare abovesaid Did con-
fe[ss] and acknowledge himselfe to bee oweing and stand Justly
Indebted unto the said Garrat the Just and Neate Quantity of fforthy
three thousand one hundred pounds of good sound Marchantable
Tobacco and Caske to bee paid to the said Garrat on all Demands,
Yet the said John the said sune of forty three thousand One hun-
dred pounds of Tobacco to him the said Garret according to the
said bond though often thereunto Required hath not paid or Satis-
fied but the same to pay or satisfie hath hitherto and still doth
Denye and Refuse, to the Damage of the said Garret Sixty thousand
pounds of Tobacco, & thereupon hee bringeth his Suite

And the said John by Robert Ridgely his Attorney Cometh and
Defendeth the force and Injury When &c, and prayeth the hearing
of the said Writeing obligat^y and It is read unto him, & hee also
prayeth the hearing of the Condition of the said Writeing obligatory
and Itt is Read unto him in these words, The Condiscon of this
obligation is Such that if the above bound John Quigley his heires
Executo^{rs} adm^{rs} or assignes, shall well and truely pay and Deliver
unto the abovesaid Gerald Vanswearingen his heires Executo^{rs}
adm^{rs} or assignes To say, five hundred Busshells of good Barley
Malt, fifty busshells of wheate one hundred pounds of good hopps,
Two hundred pounds of good butter, three hundred pounds of good
Cheese, Three thousand pounds of Beef, one hundred pounds of
Candles One Teirce of Salmon, one barrell of Herrings, one Caske
of Pilchers, one hundred bushells of oates, To be paid and Delivered
unto the abovesaid Gerald Vanswearingen his heires Executo^{rs} Adm^{rs}
or assignes at or upon the first Day of March next Ensueing the
date hereof, att st Maryes Landing, the Dangers of the Sea and

Liber W. C. Restrainte of Princes onely Excepted, Then this p^rsent Obligacon to bee Voyd and of none effect, otherwise to stand in full force power and Vertue in the Lawe

W^{ch} being Read and heard the said John Quigley by his Attorney aforesaid prayeth Liberty to Imparle hereunto untill next provinciall Court and Itt is Granted unto him the same day is Given to the p^lt alsoe

Now here att this day to witt y^e 12th day of May in the fifth yeare of y^e Dominion of y^e R^{tt} hono^{ble} Charles Lord Baltemore &c Annoq Domini 1680 Came the said parties by their Attorneys aforesaid, and the said John Quigley by his said Attorney sayth, Conditions pformed, pon[it] se sup patriam, and The p^lt also.

Therefore Command is given to the sheriffe of st Maryes County that hee Cause to Come here twelve &c By Whome &c & who neither &c To Recognize &c Because aswell &c

On w^{ch} said Twelfth day of May aforesaid Came the said parties by their Attorneys aforesaid and the Jurors Impannelled being Called Likewise came (To witt) Sam^l Raspin. Philip Lynes. Randall Hanson, John Martindaile Thomas Keeting, Edward Ward Daniell Clocker, Thomas Tillet Jenkin Morgan, William Harper, Thomas Witter, Henry ffernley & Robert Graham Who being Elected tried and sworne to say the truth in the p^rmisses upon their oathes doe say. That the said John Quigley hath not pformed the Condition of the Writeing obligatory aforesaid, Whereupon the said John Quigley by his Attorney aforesaid Moved in arrest of Judgment w^{ch} being over ruled by the Court here Therefore Itt is Considered that the said Garret Vanswearen Recover against the said John Quigley the aforesaid sume of forty three thousand one hundred pounds of Tobacco debt and also Eleaven hundred Eighty pounds of Tobacco Costs of suite and the Defend^t in mercy &c:

Charles Ld Baltemore &

Benj^a Rozer Esq^r

Exec^{rs} of Thomas Notley Esq^r dec^d

ag^t

Garret Vanswearingen

} Garratt Vansweringen late of
st Maryes Citty gentl. other-
wise Called Garratt Vanswer-
ingen of y^e Citty of st Maryes
in the County of st Maryes

In holder was summoned to
answere unto the R^{tt} hono^{ble} Charles Lord Baltemore and Benjamin
Rozer Esq^r Executo^{rs} of the last will and Testament of Thomas
Notley Esq^r dec^d of a plea that hee Rend^r unto the said Executo^{rs}
the full & just quantity of Twenty thousand Eight hundred pounds
of good sound M^rchantable Leafe Tobacco and Caske w^{ch} from them
hee Unjustly detaineth

And Whereupon the said Charles Lord Baltemore & Benjamin
Rozer Esq^r by Robert Ridgely their Attorney say that Whereas
the said Garrat Vansweringen the ffoure and twentyeth day of
ffbruary Anno Domini 1678 by his Certaine bond or writeing

obligatory sealed with the seale of him the said Garrat and here in Court produced whose date is the day and yeare aforesaid. Did acknowledge himself to owe and stand Justly indebted unto the said Thomas Notley in the full & just quantity of Twenty thousand Eight hundred pounds of good sound Marchantable Leafe Tobacco and Caske to Containe it. To bee payd to him the said Thomas Notley his heires Executors or adm^{rs} To the w^{ch} payment well and truly to bee made the said Garratt Vanswearingen did binde himself his heires Executo^{rs} and Adm^{rs} firmly by those p^rsents. Notwth-standing w^{ch} the said Garratt Vanswearingen the said s^ume of Twenty thousand Eight hundred pounds of Tobacco to the said Thomas Notley in his life time. nor to the said Charles and Benjamin since his death (to whom Execution of the last will and Testament of the s^d Thomas Notley since his death hath bene Comitted) hath not paid although often thereunto Required, but the same to pay hath denyed and as yet doth denye, in Retardation of the Execution of the Testament of the said Thomas, and to the damage of the s^d Executo^{rs} to the Vallue of fforty thousand pounds of Tobacco. and thereupon they bring theire suite And the said Executo^{rs} bring into Court here the Lett^{rs} Testamentary to them granted of the Testament of the said Thomas Notley that it m[ay] appeare to the Court here that they thereof are Executo^{rs} :

Liber W. C.

p. 199

And the said Garret Vanswearingen in his proper pson Cometh and defendeth y^e force & injury when &c and prayeth the hearing of the said writeing obligatory and itt is Read unto him. he prayeth alsoe the hearing of the Condicon of the same Writeing obligatory and Itt is Read unto him in these words (viz) The Condition of the above obligation is such that if the above bound Garrett Vanswearingen shall well and truly pay or Cause to bee paid unto the Hono^{ble} Thomas Notley Esq^r above mentioned his Heires Executo^{rs} adm^{rs} assignes the Just quantity of Tenn thousand foure hundred pounds of good sound Marchantable Leafe Tobacco and Caske to Containe it. Convenient in the County of st Maries aforesaid att or before the first day of october next Ensueing the date hereof. Then the p^rsent obligation to bee voyd and of none effect. otherwise to stand remaine and bee in full force power and Vertue. Which being Read and heard the said Garratt sayth that hee hath nothing to say in Barr or avoydance of the accon aforesaid of them the said Charles Lord Baltimore and Benjamin Rozer. Therefore Itt is consider^d by the Court here this day (to witt) the Twelfth day of May in the ffifth yeare of the Dominion of the R^{tt} hono^{ble} Charles Lord Baltimore &c Annoq Dom 1680 that the said Charles Lord Baltimore and Benjamin Rozer Executo^{rs} as aforesaid Recover against the said Garratt Vanswearingen the aforesaid s^ume of Twenty thousand Eight hundred pounds of Tobacco debt and also ffive hundred ninety five pounds of Tobacco Costs of suite. And the said Garratt in Mercy &c

Liber W. C.	Thomas Haggelton	}	These foure ac̄ons are Continued un- till next Court
	ag ^t		
	Thomas Truman		
	Garrat Vanswearingen Ad ^r		
	of John Deery		
	ag ^t		
	John Quigley		
	The Same		
	ag ^t		
	The same		
	Garratt Vanswearingen	}	
	ag ^t		
	John Quigley		

p. 200	John Sanders	}	These seaventeen ac̄ons are Continued Untill next Court
	ag ^t		
	Thomas Helgar		
	Gerrard Slye		
	ag ^t		
	Thomas Helgar		
	John England		
	ag ^t		
	Gerrard Slye		
	John Quigley		
	ag ^t		
	Marke Cordea		
	Edward Mann		
	ag ^t		
	John Quigley		
	Thomas Jones		
	ag ^t		
	John England		
	John England		
	ag ^t		
	Thomas Jones		
	John Penroy		
	ag ^t		
	Rob ^t Mason		
	Archibold Arthur		
	ag ^t		
	Desiardins Adm ^{rs}		
	Edw ^d Pynn		
	ag ^t		
	Jonathan Sybrey		
	John Richardson		
	ag ^t		
	William Dare		

John Richardson	}
ag ^t	
W ^m Dare Ad ^r of	
John Parker	
The same	
ag ^t	
The same	
William Burges	
ag ^t	
Richard Hill	
Rob ^t Ridgely	
ag ^t	
Rich ^d Royston Ad ^r	
of John Crosse	
Marke Cordea	
ag ^t	
W ^m Willowby	
Jn ^o Bouchier	
ag ^t	
John Hartwell	

Liber W. C.

May y^e 14th 1680

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John Lemarre	}
ag ^t	
George Godfrey	

Whereas George Godfrey late of Charles County was attached to answer unto John Lemarre of a plea of trespasse, ffor that Whereas the said George upon the Twentyeth day of November in the yeare of our Lord 1679 Att Portobacco Creeke in Charles County the Close of him the said John did breake, and three Trees then and there Growing of him the said John did fell Cutt downe and Carry away, And this Cause Standing att issue Ready for a hearing and the Court pceiveing it Very Necessary (the better to discover and finde out by whome the Trespasse aforesaid is Comitted[]), that the p^{ts} Land bee Surveyed and Layd out by Some Skilfull person according to y^e meets & bounds mentioned in the Pattent, and that a faire plott and Certificate thereof bee Returned to y^e next provinciall Court, Itt is by the Court this day ordered That Randolph Brandt gentl bee and is hereby Especially appointed impowered and Comanded to Lay out the aforesaid parcell of Land of the aforesaid John Lemarre Lyeing on the west side of St Thomas's Creeke in Charles County aforesaid according to the Ancient meetes and bounds thereof in the p^sence of William Chandler Sheriffe of the County aforesaid, Who is hereby Comanded and Impowered to Sumon and Impannell a Jury of twelve good Lawfull and honest men of the Neighbourhood to goe upon the said Land, and to Sumon & Examine Witnesses upon oath that the truth of y^e matter may bee fully Discovered, W^{ch} being Done the Juro^{rs} aforesaid

Liber W. C. are dilligently to Enquire by whome the trespasse aforesaid is Comitted, if any bee found to bee Comitted and what damages the p^lt on Whome the trespasse aforesaid (if any shall bee found to bee Comitted) hath sustained by occasion thereof, and of the ffelling Cutting downe and Carrying away the trees aforesaid, and to Returne a Certificate of his proceedings herein and a faire Plott of the p^lts Land to the Next Provinciall Court to bee held att ye City of S^t Maryes the fifth day of October next Attested aswell und^r the hand and Seale of the said Rand^o Brandt as of the Sheriffe and Juro^{rs} aforesaid, that soe his Lopps Justices being fully informed of the truth of the p^rmisses may doe therein as to Justice shall apptaine

Francis Hill	}	} These five Ac ^o ns are agreed
ag ^t		
Mary Tilghman	}	
John Cockes		
ag ^t	}	
Richard Keene		
Peter Archer	}	
ag ^t		
W ^m Dare	}	
The same		
ag ^t	}	
The same		
Mich ^{ll} offley	}	
ag ^t		
John Hyland	}	

p. 202	Kenelm ^e Cheseldyne	}	} These Nine ac ^o ns are agreed
	ag ^t		
	Henry Sewall	}	
	Henry Jowles		
	ag ^t	}	
	Peter LaMare		
	Jn ^o Anderson	}	
	ag ^t		
	Stephen Murty	}	
	Jn ^o Beamon		
	ag ^t	}	
	W ^m Burges : Sam ^{ll} Lane : Jn ^o		
	Welsh : Nathan ^{ll} Heathcot Tho		
	ffrancis : Edw ^d Burges		
	Cornelius Howard, Jn ^o Sallers		
	Henry Ridgely & Edward	}	
	Dorsey		

Liber W. C.

Proprietary }
 ag^t }
 Sam^l Raspin }
 Henry Mitchell }
 ag^t }
 Thomas Bowdle }
 W^m Dolbury }
 ag^t }
 Thomas Taylor }
 The same }
 ag^t }
 The same }
 Rich^d Keene }
 ag^t }
 John Cock }

Samuell Allen }
 ag^t }
 John Rawlings & } This ac^on is Discontinued
 Michael Bassey }

Stephen Murty }
 ag^t } This accon is Continued untill next Court
 John Edmondson }

Benj^a Randall } The Juro^{rs} finding for y^e plt in this Cause ffoure
 ag^t } hundred pounds of Tobacco Damages wth Costs of
 W^m Harris } suite the deft by Rob^t Ridgely his Attorney Moved
 in Arrest of Judgm^t Day is thereupon giuen to
 both pties untill next provinciall Court

Thomas Tasker } This ac^on in Ejectm^t abates Eliz^a one of the
 ag^t } Lesso^{rs} to y^e p^{lt} being dead
 Tho: Medley }

W^m Calvert Esq^r } Jn^o Stansby sheriffe of Baltimore County haveing p. 203
 ag^t } formerly returned a Capi in this Cause, and the
 Thomas Long } deft not appeareing this Court, the same sheriffe
 is amerced forty Shillings sterling, and Itt is
 Ordered that hee have the defts body here att the next Provinc^l
 Court

Rob^t Carville } The sheriffe of st Maryes County haveing for-
 ag^t } merly returned a Capi in this Cause delivered up in
 Thomas Potter } open Court unto the p^{lt} the defts bayle bond

Liber W. C. Thomas Knighton } This accon in Ejectm^t abates Joseph Taylor
 ag^t } Lessor to y^e p^{lt} being Dead
 Robert Peca }

Mary Eaton }
 ag^t } This accon abates the p^{lt} being dead :
 Vincent Lowe Esq^r }

Lydia Solley }
 ag^t } This Cause being upon a writt of Erro^r is Con-
 Collen Mackensy } tinued untill next Court

Christopher Rousby Esq^r }
 qui p Domino Rege &c } This accon is Continued p Consent untill
 ag^t } next Court
 Rob^t Carville }

Thomas Parker } Thomas Vaughan sheriffe of Talbott County have-
 ag^t } ing formerly Returned a Cepi in this Cause and the
 James Clayland } deft not appearing this Court the same sheriffe is
 Amerced forty shillings ster, And it is Ordered
 y^t hee have y^e defts body here att y^e next Court

John Bawdon }
 ag^t } These two Causes are struck off from the Docquett
 Jn^o Quigley } Neither p^{lt} nor deft appearing
 The same }
 ag^t }
 The same }

Jn^o Peirce Ex^r Jn^o Peirce }
 ag^t }
 Thomas Gant J. } These Two accons are agreed
 Jn^o Whittington }
 ag^t }
 Jn^o Evans }

p. 204 George Parker } The p^{lt} haveing Comenced an accon of Defamacon
 ag^t } ag^t the deft, the deft appeared in his pp pson and
 Joseph Tilley } acknowledged in open Court that hee did the p^{lt}
 Wrong in speaking the English words menconed
 in the declaration, and also did oblige himself to satisfie and pay the
 Costs and Charges for the Comeing goeing and attendance of the
 p^{lts} Witnesses that were sumoned to prove the declaracon aforesaid.
 And thereupon the p^{lt} withdrew his Acccon :

Arthur Norwood Adm ^r	} This accon being upon an appeale from Talbot County Court is Agreed :	Liber W. C.
of Jn ^o Eason		
ag ^t		
Joseph James		

James Mills	} The def ^{ts} by Robert Ridgely theire Attorney appeare and imparle untill next Provinc ^l Court
ag ^t	
Henry Johnson	
W ^m phelps	
ag ^t	
Edw ^d pindar Adm ^r W ^m fford	
Proprietary	
ag ^t	
Thomas Walker	
Morgan Jones Adm ^x	
ag ^t	
Gerrard Slye	
Morgan Jones Adm ^x	
ag ^t	
Clement Hill	
Jn ^o Tho ^s Dudleston	
ag ^t	
Theophilous Turford	
William Smith	
ag ^t	
Gerrard Slye	
Jn ^o Paler	
ag ^t	
Gerrard Slye	
Rich ^d Shippey	
ag ^t	
Gerrard Slye	
Nehemiah Blackiston	
ag ^t	
Gerrard Slye	

John Atkey a	} The defts by Robert Carville theire Attor- ney appeare and Imparle untill next pro- vinciall Court	p. 205
ag ^t		
John price		
Gerrard Slye		
ag ^t		
John Paler		
Gerrard Slye ag ^t		
ag ^t		
Mary Stagg Adm ^x of		
Thomas Stagg		

Liber W. C. Jn^o England
 ag^t
 W^m Guither Ex^r
 Nich Guither
 Rob^t proctor
 ag^t
 William Burges

John Machen
 ag^t
 Gerrard Slye
 Roger Eades
 ag^t
 ~~W^m Reider~~

The Defts by Christopher Rousby ~~there~~ his At-
 torney appeares and imparles untill next Provincia^l
 Court

John Harris
 ag^t
 George Gunnell
 John Harris
 ag^t
 Peter Ellis
 John Harris
 ag^t
 John Hyland
 Thomas Jones
 ag^t
 Sam^l Dobson
 Mary Roe Ex^x Edw^d Roe
 ag^t
 ~~Thomas Mountfort~~

The defts by Kenelme Cheseldyne
 theire Attorney appeare and Imparle
 untill the next provincia^l Court

Proprietary
 ag^t
 Josias Seward

The Deft by Charles Boteler his Attorney appes and
 Imparles untill next Provincia^l Court

Proprietary
 ag^t
 Thomas Clipsham

Unlesse the deft appeare next Provincia^l Court
 the Sheriffe of Charles County Amerced:

p. 206 Kenelme Chesledyne &
 Mary his wife
 ag^t
 Joshua Guibert

Unlesse the deft appeare next Provinc^l
 Court the sheriffe of S^t Maryes County
 amerced:

James Neale
 ag^t
 Rob^t Thompson

Unless the deft appeare next Court the sheriffe of
 Charles County Amerced:

Christopher Rousby }
 ag^t } Unlesse the deft appeare next Court the sher- Liber W.C.
 John Phillips } iffe of Dorchester County Amerced :

Prop^{ry} & Benjamin Rozer }
 Esq^r Ex^{rs} Thomas Notley Esq^r } Unlesse the deft appeare next Court
 dec^d } the sheriffe of S^t Maryes County
 ag^t } amerced
 Thomas Jones }

William Jones }
 ag^t } Unlesse the deft appeare next Court the sheriffe of
 William Peake } Calvert County amerced.

James Barbier }
 ag^t } This accon of Ejectm^t is agreed
 William Stevens }

George Holland }
 ag^t } This accon of Ejectm^t is Continued untill next
 Nicholas Nickolls } Provinciaill Court

Lord Proprietary }
 ag^t }
 John Heyman } These Two accons are agreed
 Lord Proprietary }
 ag^t }
 William Bradford }

Henry Darnall Esq^r }
 ag^t } Unlesse the deft appeare next Court the Sher-
 John Anderson } iffe of Somersett County Amerced

Symon Wooten }
 ag^t } Unlesse the deft appeare next Court the Sheriffe
 Thomas Price } of Somersett County amerced

Thomas Bankes Adm^r Geo Beckwith }
 ag^t } This Accon is agreed
 Rich^d Mekins }

Jn^o Taverner & Eliz^a his wife }
 ag^t } The defend^{ts} by George Parker their p. 207
 Nicho Nicolson & HeSter his } Attorney appeare & imparle untill
 wife Adm^{rx} W^m Gough } next Provinciaill Court

wick to the Vallue of Two hundred Sixty two pounds nine Shillings and ten pence Sterling, and when hee had the Same Soe attached or any part thereof the Same in his Custody to Keepe Untill the said William Orchard and George Lewen Should by themselves or their Attorneys appeare here the Eleaventh day of May in the fifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Anno Dom 1680 To answere unto James Derumple and Mary his wife Ex^{ix} of the last will and Testament of John Clements dec^d in a plea of Trespas Upon the Case, On w^{ch} said Elleaventh day of May Thomas Vaughan sheriffe of the County aforesaid made Returne of the writt aforesaid That by vertue thereof, hee before Cap^t Lyonell Ripley and Divers others Demanded of M^r Edward Man to Lett him See what Salt hee had in his Custody belonging to M^r Orchard and Company, and hee Confessed that there was about ffoure hundred bushells of Salt in his Custody w^{ch} did formerly belong to M^r Orchard but was the last Yeare by his ord^r Delivered to M^r Jn^o Dorrell And that the said Edward Man Went with him the said sheriffe to a Tobacco house w^{ch} they ffound locked, and the said sheriffe Demanded the Key but the said Edward Man refused to Deliver it, and Sayd hee might looke in & see the Salt, w^{ch} hee Did) and then in the p^rsence of the said persons hee attached the said Salt w^{ch} they Guessed to bee about ffoure hundred busshells for the use of the said James Derumple and Mary his wife Ex^{ix} as aforesaid as the Supposed goods of William Orchard and George Lewen, and the said James Derumple and Mary his wife Ex^{ix} as aforesaid by Robert Carville their Attorney Prayed a Scire facias against the said Edward Man to appeare here att the next Provinciall Court. To show Cause (if any hee have) why hee should not Deliver into the Custody of the said Sheriffe the said Salt by him attached as aforesaid That the same in his Custody may bee Kept according to the said Attachm^t. And Itt is granted by the Court here

Christopher Rousby	} Comand was given to the sheriffe of Calvert
ag ^t	
Jarvis Ballard	} County That hee should attach any the goods or Chattles of Jarvis Ballard If they should bee found in his baliwick to the vallue of

Three Thousand Seaven hundred Sixty five pounds of Tobacco, and when hee had the same Soe attached or any part thereof the same in his Custody to Keepe Untill the Said Jarvis Ballard Should by himself or his Attorney appeare here the Eleaventh day of May in the fifth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 To answ^r unto Christopher Rousby gentl one of the Attornyes of this Court according to the Libertyes and privilidges allowed &c in a plea of trespas Upon the Case, On w^{ch} said Eleaventh day of May Cap^t Richard Ladd sheriffe of y^e County aforesaid made returne of the writt aforesaid,

Liber W. C.

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Liber W. C. that by vertue thereof hee hath attached in the hands of Symon Wilmore the sume of Three Thousand Seaven hundred Sixty five pounds of Tobacco Whereupon the said Christopher Rousby moved the Court here that Scire facias might issue forth against the said Wilmore to appeare here att the next Provinc^l Court To show Cause, if any hee have) why the Tobacco Soe attached in his hands as aforesayd should not bee Condemned and paid Unto him the said Christopher Rousby, And Itt is Granted by the Court here

Nich Page Tho Welbourne	} Comand was Given to the Sheriffe of	
& Amos Bonvile		Charles County that of y ^e goods and
ag ^t		Chattles of John Sanders if they
John Sanders	} Should bee found in his baliwick hee	
	should Cause to bee made aswell the	

Sume of ffifty two Thousand pounds of Tobacco a Certaine debt Recovered against him att a provinc^l Court held here the Eighteenth day of June Annoq Doñ 1679 by Nicholas Page Thomas Welbourne and Amos Bonvile Whereof hee is Convicted, as also the Sume of ffive hundred forty foure pounds of Tobacco for Costs of Suite And When hee had the Same Soe made or any part thereof the same in his Custody to Keepe Soe that hee have the same here the Eleaventh day of May in the ffifth Yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dom 1680 To Rend^r to the said Nicholas Page Thomas Welbourne and Amos Bonvile On w^{ch} said Eleaventh day of May aforesaid William Chandler Sheriffe of the County aforesaid made Returne of the Writt aforesaid. That by vertue thereof he had Executed of the estate of John Sanders. one parcell of Smiths Tooles Vallued att Eight hundred pounds of Tobacco, In the hands of George Gover ffoure thousand Two hundred and Eighty pounds of Tobacco, in the hands of John Martin Three thousand one hundred ninety five pounds of tobacco, in the hands of ffrances Wyne ffoure thousand pounds of Tobacco, in the hands of Michael Webb One thousand three hundred forty three pounds of Tobacco And in the hands of Cleoborne Lomax one Thousand three hundred Sixty ffive pounds of Tobacco

p. 210	Lord Proprietary	} Comand was given to the sheriffe of somersett	
	ag ^t		County That hee should attach any the goods
	Jn ^o Longden		or Chattles of John Longden late of somersett
		County Maryner if they should bee found in	
		his baliwick To the Vallue of seaventeen pounds five shillings and	
		Eight pence sterl, and when hee had the same soe attached or any	
		part thereof the same in his Custody to Keepe Untill the said John	
		Longden should by himself or his Attorney appeare here the Eleav-	
		enth day of May in the ffifth Yeare of the Dominion of the Right	
		Hono ^{ble} Charles Lord Baltemore &c Annoq Doñ 1680 To answer	

unto Rob^t Ridgely gent^l one of the Attorneys of this Court who for the Right hono^{ble} the Lord Prop^{ry} in that behalf prosecuted in a plea of Trespas Upon the Case, On w^{ch} said Eleaventh day of May John White sheriffe of the County aforesaid made Returne of the writt aforesaid That by Vertue thereof hee hath attached in the hands of Thomas Walker of somersett County gent^l the sume of seaventeene pounds five shillings and Tenn pence ster^l of the proper Monyes of the said John Longden

Sam ^{ll} Holdsworth	}	Comand was given to the Sheriffe of Calvert County that hee take Edward Husbands late of Calvert County Chirurgeon if hee should bee found in his baliwick and him safe Keepe, Soe that hee have his body here the Eleaventh day of May in the ffifth Yeare of the Dominion of the Right Hono ^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 to answere unto Sam ^{ll} Holdsworth in a plea of Trespas Upon the Case, on w ^{ch} said Eleaventh day of May Cap ^t Richard Ladd Sheriffe of the County aforesaid made Returne of the writt aforesaid, That the said Edward Husbands is not found w th in his baliwick, Whereupon the said Sam ^{ll} by Robert Ridgely his Attorney prayed an attachment against the goods Chattles and debts of the said Edward Husbands according to Act of Assembly in that Case made and Provided. And Itt is granted by the Court here.
ag ^t Edw ^d Husbands		

Edw ^d Tarleton	}	Comand was given to the Sheriffe of S ^t Maryes County that hee take John Quigley otherwise Called John Quigley of the City of S ^t Maryes in the Province of Maryland gent ^l if hee should bee found in his baliwick. and him Safe Keepe Soe that hee have his body here the Eleaventh day of May in the ffifth Yeare of the Dominion of the Right Hono ^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 To answere unto Edw ^d Tarleton of a plea that he Rend ^r unto him the full & Just Quantity of One thousand nine hundred forty and one pounds of Tobacco. w ^{ch} to him hee oweth and Unjustly detaineth. on w ^{ch} said Eleaventh day of May Majo ^r William Boarman Sheriffe of the County aforesayd made Returne of the writt aforesaid. in these words following, Viz, Non Est Inventus) whereupon the said Edward Tarleton by Nehemiah Blackiston his Attorney prayed an attachment against the goods Chattles and debts of the s ^d Jn ^o Quigley According to Act of Assembly in that Case made and Provided, And Itt is Granted by the Court here.
ag ^t John Quigley		

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Benj ^a Rozer Esq ^r	}	Comand was given to the Sheriffe of S ^t Maryes County that of the goods and Chattles of John Quigley if they Should bee found in his baliwick hee should Cause to bee made aswell the Sume
ag ^t John Quigley		

Liber W. C. of Thirty Thousand pounds of Tobacco a Certaine debt for damages Recovered against him Att a Provinciaall Court held here the Eleaventh day of May in the fifth Yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 by Benjamin Rozer Esq^r whereof hee is Convicted as also the sume of Six hundred and Eight pounds of Tobacco Costs of Suite, and when hee had the Same Soe made or any part thereof the same in his Custody to Keepe Soe that hee have the same here the Eleaventh day of May in the fifth Yeare of the Dominion of the Right hono^{ble} Charles L^d Baltemore &c. Annoq Domini 1680 To Rend^r to the said Benjamin Rozer: On w^{ch} said Eleaventh day of May Majo^r William Boarman sheriffe of the County aforesaid made Returne of the writt aforesaid That by Vertue thereof hee hath Executed in the hands of Gerrard Slye the Quantity of Seaven thousand one hundred Eighty five pounds of Tobacco

Arthur Sawyer	}	Edward Gibbs late of Somersett County in the
ag ^t		Province of Maryland Marchant was Sumoned to
Edward Gibbs	}	answere unto Arthur Sawyer of Bristoll Marchant
		of a plea that hee Render unto him his reasonable

accompt for the time hee was Receiver of the goods wares Marchandizes and Tobaccos of him the said Arthur to the proffitt of the said Arthur W^{ch} to him to Rend^r hee ought

And whereupon the said Arthur Sawyer by George Parker his Attorney sayth That Whereas the said Edward Gibbs was Receiver of the goods wares Marchandizes and Tobaccos of him the said Arthur, And that the said Edward Gibbs the ninth day of october in the Yeare of our Lord god one Thousand Six hundred Seaventy foure Did Receive by the hands of the said Arthur att the City of Bristoll abroad of the Shipp Sarah and Elizabeth John Holdborough Master. Goods wares and Marchandizes to the vallue of ffifty Seaven pounds Two Shillings and Eleaven pence halfpenny Sterl, And also that Whereas the said Edward Gibbs afterwards (to witt) the latter end of the Moneth of December in the Yeare of our Lord god one thousand six hundred Seaventy five Did Receive by the hands of John ffoyer Comand^r of the Shipp the Lilly dogger of London Goods wares and Marchandizes to the Vallue of one hundred Seaventy five pounds one Shilling three pence half penny Sterl Amounting in the whole to the Sume of Two hundred thirty two pounds ffoure shillings and three pence Sterling, of him the said Arthur Sawyer his owne proper goods wares and Marchandizes, To Trade and Marchandize with all for the proper account most benefitt and best advantage of the said Arthur Sawyer and to Rend^r his Reasonable Account of the Sales and produce of the said goods wares & Marchandizes unto the said Arthur Sawyer when thereunto required, Neverthelesse the Said Edward Gibbs Although often thereunto required hath not Rendre^d his Reasonable account

of the said goods wares and Marchandizes, Nor the Sales or produce thereof unto the said Arthur, but an account of the same to give and Rend^r hitherto hath Denied and as yet doth denye whereupon the said Arthur Sawyer Saith hee is Damnfied and hath Losse to the Vallue of ffoure hundred pounds Sterling, & thereupon hee bringeth his suite

Liber W. C.

And the said Edward Gibbs by Rob^t Ridgely his Attorney Cometh and defendeth the force and Injury when &c and prayeth Liberty to Imparle hereunto untill next provinciall Court and Itt is granted unto him the same day is given to the plaintiffe also :

Att w^{ch} said next provinciall Court To witt the thirteenth day of May in the ffifth Yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Domini 1680 Came the said ptyes by their Attornyes aforesaid, and the said Edward Gibbs by his sd Attorney Saith That the aforesaid Action of the aforesaid Arthur hee doth in noe wayes denye Neither but that hee was Receiver of the goods wares Marchandizes and Tobacco of the said p^{lt} by the time aforesaid, and that hee to the p^{lt} thereof ought to account in the forme in w^{ch} the p^{lt} hath above Declared against him, and further sayth that hee is Ready to account thereof. Therefore Itt is Considered by the Court here that the afores^d Edw^d Gibbs account wth the said Arthur Sawyer of the goods Wares Marchandizes and Tobaccos aforesaid of the same p^{lt} by the time aforesaid Received. in the fforme in w^{ch} the p^{lt} above Declared ag^t him And Hereupon Majo^r Charles Botteler and Cap^t Thomas Claggett of Calvert County in the presence of the same deft are Assigned Audito^{rs} by the Court here to heare the said accompt Soe as they make their Report thereof to the Justices of the Same Court To bee held att the City of S^t Maryes the ffifth day of October next being the first day of the next provinciall Court

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Thomas Carlile Jn ^o Wattson	} John Addison Executo ^r of the Last will and Testam ^t of Nicholas Proddy deceased was Sumoned to answere unto Thomas Carlile John Wattson William Hatton and Robert Grayham Executo ^{rs} of the Last will and Testament of John Cuningham deceased in a plea that hee Render unto them the Sume of ffive thousand Eight hundred and ffifty pounds of Tobacco w ^{ch} from them hee Unjustly Detaineth.
W ^m Hatton & Rob ^t Grayham Exec ^{rs} of Jn ^o Cuningham ag ^t	
John Addison Executo ^r of Nicholas Proddy	

And whereupon the said Thomas John Robert and William by Kenelm Cheseldyn their Attorney Sayth That Whereas the said Nicholas proddy the first day of May in the Yeare of our Lord 1676 Did in his life time by his Certaine Writeing obligatory Sealed wth the seale of the s^d Nicholas here in Court produced whose date

Liber W. C. is the same day and Yeare above written acknowledge himself to owe and Stand indebted unto the said Jn^o Cuningham of the City of Glassgoe Marchant in Scotland, in the Just and full Summe of five thousand Eight hundred and fifty pounds of good sound Marchantable leafe Tobacco in Caske, w^{ch} summe of ffive thousand eight hundred and ffifty pounds of Tobacco hee did thereby promise & Engage to pay or Cause to bee well and truely paid to the said John Cuningham his heires Executo^{rs} or assignes or his Certaine Attorney att some Convenient place in the said County and that Upon all Demands after the tenth day of October next ensuing the date thereof, to the true payment Whereof hee Did bind himself his heires Executo^{rs} and Adm^{rs} firmly by those p^sents Notwithstanding w^{ch} the said Nicholas Proddy in his life time Nor the said John Addison Since his death though often thereunto Required Exec^r of the last will and Testament of the sayd Nicholas Proddy. The Said Summe of five Thousand Eight hundred & fifty pounds of Tobacco to him the said John Cuningham in his life time hath Not payd according to the Teno^r of the said writeing obligatory, Nor to the said Thomas John Robert and William Since his death Executo^{rs} of the last will and Testament of the sayd John though often required but the same to them to pay hitherto hath and Still Denyes to pay to the Damage of them the said Thomas John Robert and William the summe of Tenn thousand pounds of Tobacco and thereupon they bring their Suite And the said Thomas John Robert and William bring here in Court the Letters Testamentary of the said John Cuningham to them granted That Itt may appeare to the Court here that they are Executo^{rs} of the same and thereupon to have Administracon

p. 214

And the said John Addison Adm^r of Nicholas Proddy deceased by Robt Ridgely his Attorney Cometh and defendeth the force and Injury when &c and prayeth Liberty to Imparle hereunto untill next Provinciaall Court and Itt is Granted unto him the same day is given to the p^{lt} alsoe

Att w^{ch} said next Provinciaall Court Came the said partyes by their Attornyes aforesaid. and the said John Addison by his said Attorney sayth That the aforesaid plantiffes their Accon aforesaid of and upon the writeing obligatory aforesaid against him ought not to have, because hee sayth y^t hee the said John Addison is, and att the time of the obtaining of the Originall writt of the said p^{ts} and long before was Commorant and Inhabiting in st Maryes County, and that hee first had Notice of the said debt due from the estate of the said Nicholas Proddy deceased to the said John Cuningham deceased the first day of Aprill in the year 1678 and not before. before w^{ch} time the said John Addison had fully administred all the goods & Chattles w^{ch} were of the said Nicholas at the time of his death, And that hee hath noe goods nor Chattles w^{ch} were of the said Nicholas at the time of his death in his hands to bee administred

Nor had at the afores^d first day of Aprill nor att any time afterwards, and this hee is ready to verifie, Whereupon hee prayeth Judgm^t if the said plantiffes their accōn aforesaid against him ought to have

Liber W. C.

And the said Thomas Carlile John Wattson Rob^t Graham and W^m Hatton Say that they by any thing afore aleadged ought not to bee debarred from having their accōn because they Say that the said John Addison att the day of the Issueing forth of the orriginall writt of them the said Thomas John Rob^t & William had not fully administred all, and Singuler the goods & Chattles w^{ch} were the said Nicholas Proddyes att the time of his death in his hands to bee Administred to the Vallue of the debt aforesaid, whereby hee might have Satisfyed the debt aforesaid, and this they pray may bee Enquired of by the Country Whereupon day is given to both pytes untill next prov^l Court

Now here att this day to witt the Thirteenth day of May in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltimore &c Annoq Dominj 1680 Came the said Thomas Carlile John Wattson Rob^t Grayham & William Hatton and offered themselves against the said John Addison in the plea aforesaid. but the said John Addison came not but made Default **Therefore** Itt is Considered that the said Thomas Carile John Wattson Robert Grayham and William Hatton Executo^{rs} of the said John Cuningham, Recover against the said John Addison Executo^r of y^e said Nicholas Proddy as aforesaid aswell the aforesaid Sume of ffive Thousand Eight hundred and ffifty pounds of Tobacco Debt, as also the Sume of pounds of Tobacco Costs of Suite And the deft in Mercy &c

p. 215

Whereas upon Complaint made unto this Court by Henry Cole of Calvert County, That the Comissioners of the said County had Raysed and Caused to bee Leavyed upon the Inhabitants of the said County more Tobacco p Poll then is Justifiable by Law. **Whereupon** Itt was ffformerly Ordered by this Court. that the Comission^{rs} of the sayd County should Transmitt unto the Justices of this Court afaire Transcript of y^e Leavy for the County aforesaid for the Yeare 1678, W^{ch} being duely returned und^r the hands and seales of Samuell Bourne Roger Brooke Thomas Sterling and Rob^t Heigh gentl Comission^{rs} of the said County Court, & by the Justices of this Court Every pticular Article thereof seriously and Deliberately Viewed and Considered of, Itt appeareth unto the Justices here that the Comission^{rs} of the County Court aforesayd have Unduely Raysed and Leavyed Upon the Inhabitants of the County aforesaid the sume of Twenty Six thousand Nine hundred Sixty Six pounds of Tobacco **Whereupon** Itt is ordered by the Court here that his Lopps Writt of Scire facias issue to the Comissioners of the said

Liber W. C. County Court who were p^rsent att the laying and assessing the County Leavy aforesaid, Viz) Samuell Bourne, Roger Brooke, Thomas Sterling & Robert Heigh, That they bee and appeare att the next Provinciaall Court to bee held att the Citty of S^t Maryes the ffifth day of october next to Shew cause (if any they have) why they should not Refund the afores^d Sume of Twenty Six thousand nine hundred Sixty six pounds of Tobacco Soe unduely assessed and Leavyed as afores^d & to Justifye (if they can) their acco^t of the Leavy aforesaid Unto the Justices of this Court, And Itt is further Ordered by this Court that the Comissioners of the County Court of
 p. 216 Calvert County aforesaid Doe and are hereby ordered and Comanded to Transmitt unto his Lordshipp and Councell Yearely and Every Yeare for the future a faire and True Transcript of every Yeares County Leavy To bee assessed Raised and Leavyed for the County aforesaid

Philip Calvert: Signed p the Hono^{ble} the sec^{rys} ord^r
 Nic: Painter Cl

W^m Sparkes } Whereas heretofore to witt the ffourteenth day of
 ag^t } ffebruary last past Att a Provinciaall Court then holden,
 Philip Lynes } the p^{lt} by Robert Ridgely his Attorney obtained an
 ord^r of this Court w^{ch} ffolloweth in these wordes
 (Viz)

That Whereas att the said fourteenth day of ffebruary Came William Sparkes by Robert Ridgely his Attorney & Philip Lynes by Christopher Rousby his Attorney, And this Cause Standing att Issue ready for Tryall this p^rsent Court, but because itt appeareth to the Court here that the same is an Action of Ejectm^t, and that itt is Comenced by the said William as Lessee to Henry Hardy ag^t William Harbert Casual Ejecto^r, and the said philip Lynes who is the party Concerned haveing named himself deft instead of the Casuall Ejecto^r to Try the Title to One hundred & fifty Acres of Land called Hardys purchase lyeing in Charles County, and lately in the Tenure and occupa^{co}n of Thomas peircy dec^d, and being now in Dispute betweene the said Henry Hardy and Philip Lynes, The Court pceiveing the said one hundred and fifty Acres of Land now in Question is parcell of a Tract of Land formerly Surveyed for ffrancis Posey and John Berlaines planters Containing ffoure hundred and ffifty acres, & lately in the Tenure & occupa^{co}n of Richard Watson deceased und^r whome the plts Lesso^r Clameth, and for that the deft Lynes Claymeth part of the said One hundred and ffifty Acres as parcell of a parcell of Land formerly Surveyed for Thomas Batchelo^r Containing ffoure hundred and ffifty Acres Called Stumpe Dale, The Court doe finde it absolutely necessary that the said Two parcells of Land Called Watsons Land and Stump Dale bee Surveyed and laid out by Some Skilful person according to the Orrigi-

nall Survey thereof by the discession of the Neighbourhood that are most Knowing in the ancient Meets and bounds of the Same Two parcells of Land the better to finde out the true bounds of the Land in Question, & that faire plotts and Certificates of both y^e same parcells of Land bee Returned to the next provincially Court that upon p[er]useing and Veiwing thereof. and hearing what Can bee said on both sides the Court may doe therein as to Justice appertaines, Itt is by the Court this day Ordered that Randolph Brandt gentl^e bee and is hereby especially Appointed impowered and Comanded to lay out the aforesaid Two parcells of Land according to the ancient Meets and bounds thereof in the p^resence of the sheriffe of Charles County aforesaid who is hereby Comanded and Impowered to Sumon and impannell a Jury of Twelve good Lawfull and honest men of the Neighbourhood to goe upon the s^d Land. and to Sumon and Examine Witnesses Upon oath that the truth of the matter may bee fully discover^d, And the said Randolph Brandt is hereby Ordered to Runn the Lines according to the Evidence then to bee Given and the direc^tions of the Jury and to returne a Certificate of his Proceedings herein and a faire plott of the Land in Question to the next provincially Court to bee held att st Maryes the Eleaventh day of May next attested aswell und^r the hand and Seale of the said Randolph Brandt as of the sheriffe and Juro^{rs} aforesaid That Soe his Lopps Justices being fully informed of the truth of the p^rmisses may doe therein as to Justice shall appertaine

Liber W. C.

p. 217

Att w^{ch} said next provincially Court To witt the fourteenth day of May last past the aforesaid Randolph Brandt made returne of his proceedings in the p^rmisses Und^r the hand and Seale of the sheriffe and Jurors afores^d w^{ch} followes in these words Viz **An Inquisition** Indented taken this ninth day of Aprill att the house of philip Lynes in Charles County in the ffifth Yeare of the Dominion of the Right hono^{ble} Charles absolute Lord and Prop^{ty} of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c: and in the Yeare of our Lord 1680 Before mee W^m Chandler Sheriffe of Charles County aforesaid by vertue of an ord^r of a provincially Court held att the City of St Maryes the fourteenth day of ffebruary Annoq Domini 1679 Itt was then Ordered by the said Court That Randolph Brandt gentl^e Deputy Surveyo^r for this County in the p^resence of the Sheriffe of the County aforesaid to Lay out Two parcells of Land the one formerly Surveyed for ffrancis Posey and John Berlaines plant^r Containing ffoure hundred and ffifty acres, and lately in the Tenure and Occupation of Richard Watson dec^d and another parcell of Land Called Stumpdale formerly Surveyed for Thomas Batchelo^r Containing foure hundred and fifty Acres, by a Jury of the Neighbourhood to goe Upon the said Land to see the Lines of the said two tracts of Land Runn out by the said Randolph Brandt according to the Evidence then to bee given and the direc^tions of

Liber W. C. the Jury. By vertue of w^{ch} Order of Court I William Chandler Sheriffe Did by the oathes of Robert Rob^t Robins Sam^{ll} Rasin, John Courte seni^r, John Courte Juni^r, Mevorell Hulse Hugh Thomas, ffrancis Wyne, Joseph Bullott, John Harvey, John Beane. Robert Worrell, and William Hinsey Together wth the afor^sd Rand^o

p. 218 Brandt Dep^{ty} Surveyo^r: Goe Upon the aforesaid Two tracts of Land to see the same by the Surveyo^r Laid out according to the ancient meets and bounds of the aforesaid Two Tracts of Land, W^{ch} Juro^{rs} upon their oathes Sayes That they Cannot by any informacon or Evidence finde out the Ancient Meetes and bounds of that Tract of Land formerly laid out for ffrancis poesy and John Berlaine lately in the Tenure and occupacon of Richard Watson deceased, And Whereas wee Could not finde the Southermost bound tree of Watsons Land being Nominated in the Certificate a bounded white oake, nor have any positive Evidence to prove the same soe that wee Could not Runn out the ancient Bounds and meets of the other Tract of Land formerly Surveyed for Thomas Batchelo^r Called Stumpdale In witnesse whereof the sheriffe abovesaid and the Juro^{rs} above written have hereunto sett their hands and seales the day and Yeare abovewritten And the said William Sparkes and phillip Lynes prayed that a New Survey bee Awarded for the better Resurveying of the aforesaid Two parcells of Land Called Watsons Land and Stumpdale, the aforesaid survey being imperfect **Whereupon** this Court doe ord^r that the aforesaid Randolph Brandt bee and is hereby especially appointed and Comanded to Lay out the aforesaid two parcels of Land Called Watsons Land and Stumpdale according to the Ancient bounds thereof, and after the same is soe Resurveyed and Laid out, then to Layout the one hundred and fifty acres of Land in Question, and that the said Lands by the Said Surveyo^{rs} bee Laid out in the p^rsence of the sheriffe of y^e said County who is hereby Impowered and Comanded to sumon and impannell a Jury of the Neighbourhood Upon the said Land Who are to be duely sworne by the said sheriffe to direct the said surveyo^r according to the best of their Knowledges of the true ancient bounds of the aforesaid two pcells of Land Called Watsons Land and Stumpdale, and of the Land in question and to Examine Evidences Upon oath that the truth of the matter may bee fully discovered, and the said surveyo^r is hereby ordered to beginn to runn out the Line or Lines of all and every the said Tracts of Land att such bound tree or trees. and to Runn the same either backwards or forwards to ffinde out the ancient bounds thereof as the said Jury shall think ffitt & direct, and to Returne Seaverally a Certificate and plott of each parcell of Land and of his proceedings herein Und^r his hand and Seale and the hands and seales of the sheriffe and Juro^{rs} aforesaid to his Lo^{ps} Justices here att the next Provinciaall Court That soe his Lo^{pps} Justices being fully informed of the truth of the p^rmisses may Doe therein as to Justice appertaineth

Roger Eades	}	in Ejectm ^t : Anthony Dawson & Rebecca his wife Thomas Walker and Sarah his wife Lesso ^{rs}	Liber W. C. p. 219
ag ^t			
James Peterkin			

In the same Cause Itt was Ordered by the Consent of Robert Ridgely Attorney for the p^{lt} and Christopher Rousby Attorney for the deft that the said James Peterkin should bee admitted def^t, and that hee forthwth appeare and Receive a Declaracon and pleade to it the Generall Issue, and at the tryall to bee thereupon had the said James Peterkin shall appeare in his prop person or by his Attorney & shall Confesse the lease Entry and Ejectm^t, or that in default thereof Judgm^t shall bee Entred against the said Deft William Reid the Casuall Ejecto^r but all further prosecucon Shall Cease ag^t him untill the said James Peterkin shall make default in any of the p^rmisses, and Itt is further Ordered by the Court by the Consent aforesaid that the said James Peterkin shall not take any advantage against the plt for not prosecuteing upon the Tryall occasioned by such default, but that the said James Peterkin shall pay to the plt the Costs by this Court to bee taxed in this Cause, and Itt is ffurther Ordered that the Lesso^{rs} to the p^{lt} shall bee Charged wth the paym^t of the Costs to the deft if any bee adjudged to him

Andrew Tennehall	}	in Ejectm ^t Thomas Sterling Lesso ^r
ag ^t		
John Bennett		

And in the same Cause Itt was Ordered by the Consent of George Parker Attorney for the plt and Charles Boteler Attorney for the deft that the said John Bennett should bee admitted deft, and that hee forthwith appeare and Receive a Declaracon and plead to it the General Issue, and att the Tryall to bee thereupon had the said John Bennitt shall appeare in his proper person or by his Attorney, and shall Confesse Lease Entry & Ejectm^t or that in default thereof Judgment shall bee Entred against the said deft John Scott the Casuall Ejecto^r, but all further prosecution against him shall Cease untill the said John Bennett shall make default in any of the p^rmisses And Itt is further ordered by the Court by the Consent aforesaid that the said John Bennett shall not take any advantage against the plt for not prosecuteing Upon the Tryall occasioned by such default but that the said John Bennett shall pay to the plt the Costs by this Court to bee taxed in this Cawse, And Itt is further ordered that the lesso^r to the plt shall bee Charged wth the paym^t of the Costs to the deft if any bee adjudged to him

Liber W. C.
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Rich^d Marsham and
George Lingham Ex^{rs}
of Charles Gosfright, dec^d
ag^t
John Yeo

} Comand was given to the sheriffe of
Baltimore County That whereas Att a
Court held for Calvert County before
his Lopps Justices thereunto Assigned,
the third Tuesday in August Annoq
Domini 1677 in a Suite then depending

betweene Charles Gosfright dec^d plt and John Yeo def^t the said plt
Recovered Judgm^t against the said def^t for Two thousand three
hundred and Eighteene pounds of Tobacco debt wth Three hundred
fifty one Pounds of Tobacco Costs of suite whereof hee is Con-
victed for w^{ch} Satisfaccon Remaineth to bee made, Itt was there-
fore Comanded the same Sheriffe that by good and Lawfull men of
his baliwick hee should make Knowne to the said John Yeo that hee
should bee here the Eleaventh day of May in the ffifth Yeare of the
Dominion of the R^t hono^{ble} Charles Lord Baltimore &c Annoq
Dominj 1680 To shew Cause if any hee have why hee should not
pay to Richard Marsham and George Lingham Executo^{rs} of the
last will and Testam^t of the said Charles Gosfright deceased, the
debt and Costs aforesaid

On w^{ch} said Eleaventh day of May John Stansby sheriffe of the
County aforesaid made Returne of the writt aforesaid that by vertue
thereof hee hath made Knowne to the said John Yeo before Collon^{ll}
George Wells and peter Ellis that hee bee here to shew Cause &c,
as by the same writt hee was Comanded, Afterwards to witt the
Twelfth day of May in the ffifth Yeare of the Dominion of the
of the Right hono^{ble} Charles Lord Baltimore &c: Annoq Dom 1680
Came the said Richard Marsham and George Lingham by Chris-
topher Rousby their Attorney and prayed Execution of the debt
and Costs aforesaid, and the said John Yeo Although Solemnly
Called Came not but made default Therefore Itt is Considered that
the said Richard Marsham and George Lingham have Execucon
against the Said John Yeo for the aforesaid debt of Two thousand
three hundred and eighteene pounds of Tobacco wth three hundred
fifty one pounds of Tobacco Costs of suite, and also that the said
Richard Marsham and George Lingham Recover against the said
John Yeo the sume of Eight hundred & foure pounds of Tobacco
for their Costs and Charges by them Sythence Laid out & Expended,
& the def^t in mercy &c:

Att a Court held att Calvertown in petuxent the third Tuesday
in August 1677 In the Second Yeare of the dominion of the Right
hono^{ble} Charles &c Annoq Domini: before his Lopps Justices there-
unto appointed & Authorized

p^rsent: Cap^t Sam^{ll} Bourne } Majo^r Henry Jowles } Comission
M^r Roger Brooke } M^r Richard Ladd }

Calvert County ss:

Liber W. C.
p. 221

John Yeo late of Calvert County was attached to answer unto Charles Gosfright of a plea of Trespas of the case

And whereupon the said Charles Gosfright by Charles Boteler his Attorn Complayneth That Whereas the said John Yeo Upon the five and twentyeth day of Octob^r 1676 In Consideracon that the said Charles Gosfright att the speciall Instance and request of the said John Yeo would Sell and Deliver unto him the said John Seaverall Wares goods and Marchandizes Amounting in the whole to the sume of two thousand Seaven hundred & Eighteen pounds of Tobacco. A perticuler Whereof is here in Court produced, The said John Yeo did then Assume upon himself and to the said Charles did faithfully promise that hee the said John When thereunto Required the said Sume of Two thousand Seaven hundred and Eighteene pounds of Tobacco would well and truely Content and pay, and the said Charles in fact Sayth that trusting to the faithfull pmise and Assumption of him the said John Yeo made as aforesaid hee did sell & deliv^r to the said John the seaverall Wares Goods and Marchandizes in a bill of pcells hereunto annexed Mentioned, att the Rates therein Expressed amounting in the whole to the Sume of Two thousand Seaven hundred and Eighteene pounds of Tobacco as by the same bill or Noate of parcells appeareth, Notwithstanding w^{ch} the said John Yeo his said promise and Assumption not regarding, but Deviseing and ffraudulently intending the said Charles of the said Two thousand Seaven hundred and Eighteen pounds of Tobacco to Cheate Cozen and Utterly to defraud, although often thereunto required, the said Two thousand Seaven hundred and Eighteene pound of Tobacco hath not paid according to his promise and assumption aforesaid, but the same to pay hath denyed and as Yet denyeth Whereupon the said Charles Sayth hee is damnified and hath losse to the vallue of three thousand pounds of Tobacco, and thereupon &c

pledges de psec. John Doe }
Rich^d Roe }

Charles Boteler p quer

M^r John Yeo D^r

1676

Octob^r 25th

To 3 yards of broad Cloath att 40.....	120
To 1 Grosse of Gimp buttons.....	20
To Two paire of mens Wosted stockins...	56
To one paire ditto.....	20
To Two paire of boyes Woosted.....	36
To 15 pounds of Cheese.....	45
To 20 skeines of silk.....	10
To 17 pounds of Pewter att 8.....	136
To one paire of boddyes.....	20

Liber W. C.

p. 222

Novembr 23th

To one paire of Womens Woosted	
Stockins	20
To 19 Ells of Dowlas att 17.....	323
To 3 p ^r of mens ffrrench ffalls.....	66
To 1 paire of Womens Shooes.....	17
To one paire of boyes plaine Shooes.....	13
To one paire of Girles Shooes.....	12
To one paire of boyes ffalls.....	16
To 8 gallons of Brandy.....	240
To 1 Chamber pott and 1 Tanckard	
Pewter	50
To 1 Spade.....	28
To 2 bodkins.....	3
To 1 prunner.....	3
To 1 pint of brandy.....	4
To 6 th of Raisins.....	18
To 6 th of Currants.....	21
To one Hatt.....	45
To 2 ffrying Pans.....	50
To p ^d John Hance.....	125
To 1 p ^r of Gloves.....	10
To 1 p ^r of Tand leather Gloves.....	12
To 3 p ^r of Thred Stockins.....	72
To one paire of Slippers.....	20
To 4 Rings.....	20
To 11 yards of Ticking.....	130
To 2 box Combes.....	8
To 3 ozs Cloves.....	5
To 3 Mace.....	8
To ½ ^{li} Nutmigs.....	24
To 2 Knives.....	5
To 3 doz of Horne Rings.....	12
To 4 pds of powd ^r	28
To 16 pds of Shott.....	24
To 2 Ells of Canvas.....	14
To 1 Comb.....	5
To 1 piece of binding.....	20
To one p ^r of Sissers.....	2
To a Remnant of Lace.....	56
To 28 pds of Rice.....	70
To 1 pd of Jamiaca Pepper.....	18
To 1 p ^d of Raisins.....	3
To 11 Ells of Holland at 25.....	275
To 10 yds of broad Cloath at 36 p yard...	360

 Errors Excepted p Char: Gosfright... 2718

1676: Octob^r 25: p Contra Cr:

Liber W. C.

By Michael Taney..... 400

By ball Resting due..... 2318

2718

The foregoing acco^t was Sworne to as followeth

Charles Gosfright having taken his oath before us March 20th 167th y^t y^e wthin men^oned is a true and Just Acco^t, and that hee hath Received noe more then what there is given Credit for

Sam Bourne

Hen: Jowles

Charles Gosfright p^{lt} } George parker came and Confessed Judg^{mt} for p. 223
Jn^o Yeo Def^t } the Remaind^r of the abovesaid Acco^t of Two
thousand three hundred and eighteen pounds
of Tobacco but desired that Execution might Stopp till the tenth
day of October. then if not Satisfied Ordered that Execucon issue
for the debt and Costs

Bill of Costs p Quer

Attorneys ffee	100
Sheriffes ffees	35
Cryers ffee	6
ffil dec ^l and Copy.....	32
Signing Judgm ^t	24
Ent ^r Ditto	32
Cop ditto	32
ffil costs and Copy.....	32
ffil plea and Copy.....	16
Recording y ^e plts acco ^t	32

True Copy of y^e proceedings of Charles Gosfright Versus John Yoe, Given und^r my hand and Seale of the County of Calvert this Nineteenth day of January 1679/80

John Halles Clke

Comand was given to the sheriffe of Baltemore County. That Whereas att a Court held for Calvert County before his Lo^{pps} Justices thereunto assigned the third Tuesday in August Annoq Dom 1677 in a Suite then depending betweene Charles Gosfright dec^d pl^t and John Yeo def^t, the s^d pl^t Recovered Judgm^t ag^t the s^d def^t for Two thousand three hundred and Eighteen pounds of Tobacco deb^t wth three hundred fifty one pounds of Tobacco costs of Suite Whereof hee is Convicted and for w^{ch} satisfaccon Remaineth to be made Itt was therefore Comanded the same sheriffe that by good and Lawfull men of his baliwick hee should make Knowne to the said John Yoe that hee Should bee here the Eleaventh day of May

Liber W. C. in the fifth Yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Domini 1680 To shew cause (if any hee have) why hee should not pay to Richard Marsham and George Lingham Ex^{rs} of the last Will and Testament of the said Charles Gosfright deceased the debt and Costs aforesaid, On w^{ch} said Eleaventh day of May John Stansby sheriffe of the County aforesaid made returne of the writt aforesaid, that by vertue thereof hee hath made Knowne to the said John Yeo before Collon^{ll} George Wells and Peter Ellis that hee bee here to shew cause &c as by the same writt hee was Comanded

Afterwards to witt the twelfth day of May in the yeare aforesaid Came the said Richard Marsham and George Lingham by Christopher Rousby their Attorney and prayed Execution of the debt and Costs aforesaid, and the said John Yeo although solemnly called Came not but made default Therefore It is Considered that the said Richard Marsham and George Lingham have Execution against the said John Yeo for the aforesaid debt of two Thousand three hundred and eightene pounds of Tobacco wth three hundred fifty one pounds of Tobacco costs of suite, And also that the said Richard Marsham and George Lingham Recover ag^t the s^d Jn^o Yoe the sume of pounds of tobacco for their costs and charges by them sithence laid out and expended, and the defend^t in Mercy &c.

p. 224 Att a Calvert County Court held att Calvertowne in petuxent the 26th day of November in the ffourth Yeare of the Dominion of the Right hono^{ble} Charles &c Before his Lopps Justices thereunto Authorized and appointed

viz

Cap^t Sam^{ll} Bourne } {M^r Thomas Sterling }
M^r Roger Brooke } {M^r Rob^t Heighe }

Then was Calvert County Leavy Laid as followeth Viz

To Henry Darnall 2 Wolves heads.....	400
To William Harris 1 ditto.....	200
To Richard Gardner for 1 ditto.....	200
To M ^r Thomas Sprigg for 1 ditto.....	200
To Richard Coe for 1 ditto.....	200
To Richard ffreeman for 1 ditto.....	200
To M ^r Roger Brooke upon acco ^t of M ^r Staplefort.....	1200
To W ^m Muffett for his Sallary being Cryer of the Court....	1000
To Patrick Henderson the poore Man.....	1000
2500 th Tob to be Leavyed & remaine in y ^e sher hands } till further ord ^r of this Court..... }	2500
To Henry Darnall for Imprisonm ^t of Rob ^t Evans & philip Burges 1520 as also the 700 Ordered them in } y ^e publiq ^z Leavy..... }	1520

To John Darnall for publiq ffees.....	4552	Liber W. C.
To Thomas Tasker for Copy of Proclamation.....	50	
To Henry Darnall for the Bilbowes.....	300	
To Tho Tasker for Murfy Wards Wolves head assigned him.....}	200	
To Geo Akeith for one Wolves head.....	200	
To M ^r John Manning for one Wolfes head.....	200	
To Thomas Bankes for Expences of y ^e Burgesses.....	1140	
To Thomas Greene for Attendance.....	210	
To Thomas Cades for Attendance.....	210	
To ffrancis Burton for Attendance.....	300	
To M ^r Ladd as Coron ^r for 3 Inquisicons.....	750	
To ditto as Burges for horse meate.....	300	
To M ^r Craycroft Coron ^r for 5 Inquisicons.....	1250	
To Marke Clare & Richard Durham.....	800	
To Tho Tasker for an Inquisicon assigned him by Docto ^r peirce	250	
To Tho Sterling for Seaveralls for y ^e use of y ^e County....	300	
To Thomas Cosden for publiq ^r Expence.....	16655	
To Michael Taney for M ^r Roger Brookes Expence.....	1411	
To John Darnall for publiq ^r Expence.....	124	
To Tho Tasker for Boate and hands going Up the River...	160	
To the sheriffe for Collection.....	3884	
To y ^e Chancello ^r for Comission and Dedimus potestatem..	720	
To George Carter.....	160	
To Thomas Cosden Towards y ^e Expence this Ensue- ing Yeare	354	

The totall Summe Leavyed is..... 40380

To y^e Leavyes of 1077 Taxables at 40th Tob p poll to bee by the
sheriffe by ord^r of this Court amounts to in all the just Sume of
43080th Tob:

Sam^{ll} Bourne
Roger Brooke

True Copy Examined p Thomas Sterling

Thomas Jones } Comand was given to the Sheriffe of Charles p. 225
ag^t } County that of the goods and Chattles of Mat-
Matthew Nelson } thew Nelson if they Should bee found in his Bali-
wick hee should Cause to bee made aswell the
sume of Twelve hundred pounds of Tobacco a Certaine debt Re-
covered against him at a Provinciaall Court held here the Twelfth
day of November 1673 by Thomas Jones Whereof hee is Convicted,
as also the sume of Eleaven hundred and twenty pounds of Tobacco
Costs of suite, and when hee had the same Soe made or any part
thereof the Same in his Custody to Keepe soe that hee have the

Liber W. C. same here the Eleaventh day of May in the ffifth Yeare of the Dominion of the Rth hono^{ble} Charles Lord Baltemore &c Annoq Domini 1680 to Rend^r to the said Thomas Jones. Att Which said Eleaventh day of May William Chandler sheriffe of the County aforesaid Made Returne of the writt aforesaid, That by Vertue thereof hee hath Executed the within Mentioned Tobacco in the hands of Philip Lynes

John Butcher } Comand was given to the sheriffe of S^t Maryes
ag^t } County that hee take John Hartwell if he shall bee
Jn^o Hartwell } found in Yo^r baliwick and him safe keepe Soe that hee
should have his body here the Eleaventh day of May
in the ffifth Yeare of the Dominion of the Right hono^{ble} Charles
Lord Baltemore &c Annoq Domini 1680 to Satisfie unto John
Butcher Two thousand one hundred Seaventy three Pounds of
Tobacco Which to him the said John Butcher in this Court the
seaventeenth day of ffebruary Annoq Domini 1679 by the discre-
sion of the Justices here was Adjudged for his Expences and costs
for that the said John Hartwell did not psecute his writt in a cer-
taine plaint of Trespas Upon the case by the aforesaid John Hart-
well against the said John Butcher in this Court brought Whereof
hee is Convicted. On w^{ch} said Eleaventh day of May William Boar-
man sheriffe of the County aforesaid Made Returne of the writt
aforesaid. That hee hath Executed the Same.

the said Jn^o Hartwell with
Afterwards To witt the twelfth day of May in the Yeare afore-
said Came George Thompson & Thomas Tillet of S^t Maryes County
and Confessed Judgm^t unto the aforesaid John Butcher for the
Abovesaid Sum^e of Two thousand one hundred Seaventy three
pounds of Tobacco According to An Act of Assembly Entituled an
Act for stay of Execu^{cons} after Aprill Court Soe that Execu-
^{con} thereof Cease untill the Tenth day of October next:

Att a Provinciaall Court held att the Citty of S^t Maryes the ffifth
day of october in the ffifth Yeare of the Dominion of the Right
Hono^{ble} Charles Lord Baltemore &c Annoq Domini 1680

Present

The hono^{ble} Philip Calvert Esq^r Chancello^r

Nic: Painter Ct

His Lopp the Lord Prop^{ty} of this Province Sendeth his writt of
adjournm^t to his Said Justice which followeth in these words viz
Charles absolute Lord and Prop^{ty} of the Provinces of Maryland
p. 226 and Avalon Lord Baron of Baltemore &c, To our Justices of our
provinciaall Court assigned greeting ffor Certaine Causes us Move-
ing wee have Ordained that all pleas writts Bills processe and pre-
cepts and other things whatsoever w^{ch} before us this ffifth day of

october instant Remaine as well in Lawe as Equity Undetermined Liber W. C.
 in our said provincially Court, or att any other dayes hereafter next
 following ought to bee pleaded returned, untill the Sixth day of this
 instant Moneth of october att Our Said Prov^{ll} Court att S^t Maryes
 are adjourned to bee heard and Tryed Wee therefore Comand you
 that all pleas writts bills p^rcepts and other things whatsoever Either
 in Lawe or Equity before us att S^t Maryes the Said Sixth day of
 October att Tenn of the Clock to bee pleaded or returned Depending
 Undetermined or in the meane time shall have dayes untill the said
 Sixth day of October, wthout delay You adjourne or Cause to bee
 Adjourned, and the ptyes in the same pleas writts bills processe &
 p^rcepts and other things whatsoever either in Lawe or Equity there-
 upon you prefix the said Sixth day of October, Moreover Comand-
 ing all Sheriffes officers and other Ministers Whatsoever of our said
 Province of Maryland that Every one of them in their Custody
 detaine all and Singuler the writts bills p^rcesss and precepts and other
 things Whatsoever Either in Lawe or Equity before us at s^t Maryes
 on the said fffth day of Octob^r or any other dayes as aforesaid or
 to bee Returned, and them att the said Sixth day of october att
 S^t Maryes aforesaid You cawse to bee Returned, Soe that on the
 Same Sixth day of October Upon the Same Writts bills processe
 and p^rcepts and other things Whatsoever to You Returned You
 proceed and make the processe thereupon as if those writts bills
 processe and precepts and other the p^rmisses on the said sixth day
 of October or any other day aforesaid without any adjournm^t Were
Witnesse Our self att our City of S^t Maryes the fffth day of
 October in the fffth Yeare of our Dominion &c Annoq Domini 1680

His Lo^{pp} Sendeth also his other writt to the respective Sheriffes
 of this province The Teno^r whereof followeth in these words: Viz
 Charles Absolute Lord and Prop^{ry} of the Provinces of Maryland
 and Avalon Lord Baron of Baltemore &c To the Sheriffes of
 st Maryes Kent Ann Arrundell, Calvert, Charles, Baltemore Tal-
 bott. Som^rsett Dorchester and Cecill Countyes greeting, Wee comand
 you that all and Singuler our writts and precepts to you directed
 and before us this fffth day of october by you to bee Returned You
 Detaine in yo^r hands untill the morrow Morning at Tenn of the
 Clock, and that You have them before us at our Provincially Court
 wth the Returnes and Executions of the Same, that Wee may further
 proceed to the prosecution of the partyes in the same writts as of
 Right Wee shall think fitt to bee done in this behalf, and therefore
 You are to make proclamacon hereof, that all psons Concerned may
 Keepe their day on the said Morrow at the same houre aforesaid
 at s^t Maryes, **Witnesse** our Self att our City of S^t Maryes the p. 227
 fffth day of october in the fffth Yeare of our Dominion &c Annoq
 Domini One thousand six hundred and Eighty

Att a Provincially Court held at the City of S^t Maryes the Sixth
 day of October in the fffth yeare of the Dominion of the R^{tt} hono^{ble}

Liber W. C. Charles Lord Baltimore &c Annoꝝ Dommi One thousand Six hundred and Eighty

Present

The Hon^{ble} W^m Calvert Esq^r princip^l sec^{ry}

Nic: Painter Ct

His Lo^{pp} sendeth his writt of adjournm^t to his said Justice w^{ch} followeth in these words: Viz. Charles absolute Lord and Prop^{ry} of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c To our Justices of our provinciall Court assigned greeting, ffor Certaine causes us moveing Wee have ordained that all pleas writts bills processe and p^rcepts and other things Whatsoever which before us this Sixth day of October instant Remaine aswell in Lawe as Equity Undetermined in our Said Provinciall Court or at any other dayes hereafter next following ought to bee pleaded Returned untill the three and twentyeth day of November next Att our said Provin^l Court at S^t Maryes. are adjourned to bee heard and Tried Wee therefore Comand you that all pleas Writts bills precepts and other things whatsoever Either in Lawe or Equity before us at st Maryes the said three & Twentyeth day of Novemb^r by Tenn of the Clock to bee pleaded or Returned depending Undetermined or in the Meane time shall have day untill the said three and twentyeth day of Novemb^r wthout delay You Adjourne or Cause to bee Adjourned, and the parties in the Same pleas writts bills precepts and othed things whatsoever Either in Lawe or Equity thereupon you p^rfix the said three and Twentyeth day of Novemb^r, Moreover Com-manding all Sheriffes officers and other Ministers whatsoever of our said Province of Maryland, That Every one of them in their Custody detaine all and Singuler the writts bills processe and pre-cepts and other things Whatsoever Either in Lawe or Equity before us at S^t Maryes on the said Sixth day of October or any other dayes as aforesaid ought to bee returned and them att the said three and Twentyeth day of November at st Maryes aforesaid You Cause to bee Returned, Soe that on the same three and Twentyeth day of Novemb^r, Upon the same writts bills processe p^rcepts and other things Whatsoever to bee Returned You proceed and make the processe thereon as if those writts bills processe and precepts and other things on the said Sixth day of October or any other day afore-said wthout any adjournm^t Were Witnesse our Self att our Citty of S^t Maryes the Sixth day of october in the fifth Yeare of our Dominion &c Annoꝝ Dommi 1680

p. 228

His Lopp sendeth also his other writt to the Respective Sheriffes of this Province the Teno^r Whereof followeth in these words Viz

Charles absolute Lord and Prop^{ry} of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c To the Sheriffes of S^t Maryes Kent Ann Arrund^l Calvert Charles Baltimore Talbott Somersett Dorchest^r and Cecill Countyes Greeting Wee comand You

that all and Singuler our Writts and precepts to You delivered and before us this sixth day of October by you to bee Returned You detain in yo^r hands untill the three and Twentyeth day of Novemb^r next, and that you have them before us att our Provinciaall Court wth the Returnes and Executions of the same that Wee may further proceed to the prosecu^{co}n of the ptyes in the same writts as of right Wee shall thinke fitt to bee done in this behalf, And hereof Ye are to make Proclama^{co}n that all psons Concerned may Keepe their day att the said three and twentyeth day of Novemb^r next att S^t Maryes aforesaid Witsesse Our Self att our City of S^t Maryes the Sixth day of Octob^r in the fifth Year of o^r Dominion & Annoq³ Domini 1680

Liber W. C.

Wch said Writts being Read and heard the Court is Adjourned Untill the Three and Twentyeth day of Novemb^r next

Att a Provinciaall Court held att The Citty of S^t Maryes The Three and Twentyeth Day of November in the fifth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq³ Domini 1680, and there Continued untill the First Day of December then next Ensueing, On w^{ch} said Three & Twentyeth day of November Were present

The Hono ^{ble}	{	Philip Calvert Esq ^r Chancello ^r
		W ^m Calvert Esqr princip st Sec ^{ry}
		Vincent Lowe Esq ^r Survey ^r Gen ^{ll}
		Henry Darnall Esq ^r
		William Diggs Esq ^r
		George Talbot Esqr

Nic: Painter C^t

Benjamin Randall	{	William Harris late of Kent County planter was Attached to answe ^r unto Benjamin Randall in a plea of Trespas Upon the case
ag ^t		
William Harris		

And Whereupon the said Benjamin Randall by Kenelm Cheseldyn his Attorney Complaineth that Whereas the Said Benjamin as a good true faithfull and honest pson of this province, and hath been of good Name fframe Condi^{co}n & Conversa^{co}n from the time of his birth wthout any Crime of falsity, guile deceit Cheating Cozening or the blemish of any hurtfull crime hee hath been & Still is Untoucht and Unhurt, and Soe amongst his Neighbours, as others the good people of this province hee hath been accounted Knowne and reputed ever since his Liveing in this province, as also in the Kingdome of England and all other places where Ever hee hath Lived, By meanes Whereof the Right hono^{ble} the Lord Prop^{ry} of this Province Did grant him the Office of Clerk of his Lo^{ps} County of Kent, in w^{ch} place of greate Trust and Office dureing the time hee continued in it, Did honestly and faithfully discharge the same

p. 229

Liber W. C. according to his Oath, and Afterwards by meanes of his good Con-
 dition and honest Conversaçon & Repute was by the Justices of the
 said Kent County Court as also of Seavth others his Lo^{pps} County
 Courts Admitted and Sworne an Attorney, in w^{ch} sd office also hee
 hath ffaithfully and honestly behaved himself, By meanes whereof
 the said Benjamin Divers pleas acçons and suites in the said Courts
 for divers psons in this Province hath prosecuted and Defended and
 still doth psecute and defend whereby and by Meanes of his ffaithfull
 Exercise of his office of Attorney aforesaid hee hath gained & got
 divers great gaines and pfitts for Attorneys fees of him the said
 Benjamin for the psecuçon and defending the said acçons & Suites
 Neverthesse the said William Harris not ignorant of the p^rmisses,
 but out of his Meer Evill mallice Endeavouring the said Benjamin
 Randall to hurt Blemish and deprive the good Name Credit and
 Repute of the said Benjamin and to bring him into Reproach &
 scandall wth the good people of this province whose suites hee hath
 and still doth psecute and defend, but especially wth his Lo^{pps} Jus-
 tices of the County Courts, to the Endangering the losse of his said
 Office of being Attorney, by w^{ch} hee hath gained his honest Lively-
 hood, and to bring him Upon greate vexaçon and Trouble, Did
 the Sixteenth day of May in the Yeare of our Lord 1679 openly and
 publicly. and in the hearing of many the good people of this Prov-
 ince, as also of Some of his Lopps Justices of Kent County Court,
 Repeate publish and pounce These false Malitious and Scandalous
 English words following, The said Benjamin then and still being
 an Attorney as aforesaid (that is to say you) meaning the said
 Benjamin Randall, is a Cheating Knave and hathe cheated the Coun-
 try, by Meanes of Speaking of w^{ch} ffalse Malitious and Scandalous
 Words, the Said Benjamin Randall is not onely Wounded in his
 good name fame and Repute wherewth before that time hee was
 Endued, but also hath lost divers and great sumes of Tobacco w^{ch}
 in psecuçon and defence of the pleas Accons suites of divers of the
 good people of this Province in his Lo^{pps} County Courts aforesaid
 w^{ch} there hee might have gotten and gained, but also hath beene
 greatly damnified in his buying selling and dealeing wth Marchants
 and others who have since the speaking the said Words wth drawne
 from his Company and Refused to Converse wth him To the greate
 damage of the said Benjamin Randall the Summe of six thousand
 pounds of Tobacco, and thereupon hee brings his suite,

And the said William Harris by Robert Ridgely his Attorney
 Cometh & defendeth the force and Injury when &c. and Prayeth
 Liberty to imparle hereunto untill next Provinciaall Court. and It
 is granted unto him, the same Day is given to the p^{lt} also

Now here att this Day To witt the Thirteenth day of May in the
 fifth Yeare of the Dominion of the R^{tt} hono^{ble} Charles Lord Balte-
 more &c Came the said partyes by their Attorneys aforesaid, and the
 said William Harris by his sayd Attorney Sayth, That hee is noe

wise guilty of the p^rmisses above imposed upon him by the plt in manner and forme as the Said plt above against him hath Com-Liber W. C.plained, and of this hee puts himself Upon the Country and the said Benjamin also, Therefore Itt is Comanded the Sheriffe of st Maryes County that hee Cause to Come here Twelve &c. by whome &c & who neither &c To Recognize &c because aswell &c, On w^{ch} said thirteenth day of May in the Yeare aforesaid Came the said ptyes by their Attorneys aforesaid, and the Juro^{rs} Impannelled being Called Likewise Came (To witt) Sam^l Raspin Philip Lines, Randall Hanson: John Martindale, Thomas Keeting, Edward Ward, Dan^l Clocker, Thomas Tillet. Jenkin Morgan Henry ffernley, Thomas ffolkes, James Pattison, Who being elected tryed & Sworne to say the truth in the p^rmisses Upon their oathes doe Say, That the said William Harris is guilty of the p^rmisses above by the plantiff imposed Upon him in manner and forme as the said plt hath against him Com-
plained, and they Asesse the damage of the said plt to ffoure hundred pounds of Tobacco, w^{ch} Verdict of the Juro^{rs} aforesaid being Read and Heard the said William Harris by his Attorney aforesaid moved the Court here in arrest of Judgm^t, and prayed day untill next provth Court, and It is granted unto him the same day is Given to the p^r also:

Att w^{ch} said next Provinciaall Court to witt the nine & Twentyeth day of November in the fifth Yeare of the dominion of the Right honoble Charles Lord Baltemore &c Annoq Domini 1680 Came the said parties by their Attorneys aforesaid and the said William Harris by his Said Attorney sayth That Judgm^t ought to bee arrested, ffor that The words Layd in the Declaracon are (You is a Cheating Knave & hath Cheated the Country.) W^{ch} words are not actionable for that It is not sayd that in his office of Clerke or Attorney hee was a Cheating Knave or had Cheated the Country, & the Court Shall not intend it wthout his shewing thereof, and although Randall bee An Attorney that brought this Ac^{con} Yet it not appearing there was any speech of him as an Attorney or to scandalize him in his place, the words are spoken of him as a Comon pson, The Witnesses that prove the words swore that the said Randall came to fetch a Cow and a Calfe for Michael Miller, & that they had Noe Communication in Rela^{con} to his Office. and wthout such comunica^{con} or speech of him as an Attorney the said words are not actionable & therefore noe Judgm^t Can be given thereon, W^{ch} being Read and heard It seemeth to the Justices here that the Reason aforesaid is insufficient in Law to arrest Judgm^t Upon the Verdict of the Juro^{rs} aforesaid, Therefore It is Considered that the said Benjamin Randall Recover against the said William Harris aswell the sume of ffoure hundred pounds of Tobacco damages by the Juro^{rs} aforesaid in forme aforesaid assed as also
pounds of Tobacco Costs of Suite, and the deft in Mercy &c

Liber W. C.
p. 231

Rob^t Ridgely

ag^t

Rich^d Royston Adm^r
of William Crosse

{ Richard Royston Adm^r of all and Singuler
the goods Chattles Rights and Creditts w^{ch}
were of William Crosse gent^l deceased was
attached to answeare unto Robert Ridgely
gent^l one of the Attorneys of this Court ac-

cording to the Libertyes and priviledges &c allowed of a plea of Trespas upon the case,

And whereupon the said Robert in his pper pson Complaineth That Whereas the Said William Crosse in his life time (to witt) the Tenth day of December in the yeare of our Lord 1677, the said Robert being then and Still one of the Attorneys of this Court, in Consideracon that hee the said Robert would bee Attorney for him in such accons as the said William Should employ him in, in the Provinciaall Court aforesaid, hee the said William did assume upon himself and unto the said Robert did faithfully promise, that hee the said William him the said Robert for his paines Labour Travill skill Councell and advice about all such accons as hee should employ him in, That hee the said William Would pay him the s^d Robert what the said Robert should for such his paines labour Travaile Skill Councell & advice about the same accons Reasonably deserve, And the said Robert in fact sayth That Trusting to the pmise of the said William to him the said Robert soe as aforesaid made, and pursuant thereunto hee was Retained and employed by the said William as his Attorney, & gave him his Councell and advice in a Certaine accon Comenced by the said William against William Hemsley of Talbot County gent^l, and also to appeare and defend the said William in Two actions comenced ag^t him the said William by Mary Clements of Talbot County Widdow: and Richd Draper of London girdler, by Vertue of w^{ch} said Retainer hee the said Robert between the said Tenth day of December in the yeare aforesaid, and the sixteenth day of October 1679, the said three accons on behalfe and as Attorney of the said William Crosse (the one against William Hemsley aforesaid the other two at the suite of the said Mary Clements and Richard Draper aforesaid) did Mannage Solicite and Transact, to the best of his Skill power and Cuning, & in the Same actions the said Robert on the behalfe of the said William ~~Robert~~ in this Court did appeare, and for his Labour paines Skill power Councell & advice in and about the same hee doth reasonably deserve the sume of Twelve hundred pounds of Tobacco, Notwithstanding w^{ch} the said William Crosse in his life time Nor the said Richard Since his death (to whome the adm^{tion} of all and singuler the goods Chattles rights and Credits w^{ch} were of the said William in his life time since his death hath been Comitted) The said Twelve hundred pounds of Tobacco To him the Said Robert for his fees in the Causes aforesaid have not paid

or Satisfyed although often thereunto Required, but the Same to pay have denyed and as Yet doth denye to the damage of the Said Robert Two thousand pounds of Tobacco and thereupon hee bringeth his suite Liber W. C.

And the said Richard Royston by Robert Carville his Attorney Cometh and defendeth the force and injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court and It is granted unto him, the same day is given to the plaintiff likewise

Now here att this day To witt the Six and Twentyeth day of November in the Sixth yeare of the Dominion of the Right Honorable Charles Lord Baltemore &c Annoq̃ Domini 1680 Came the sayd Robert Ridgely in his proper person and offereth himself against the Said Richard Royston in the plea aforesaid, but the said Richard Cometh not but maketh default, Therefore It is Considered by the Court here that the said Robert Ridgely Recover against the said Richard Royston Adm^r as aforesaid aswell the aforesaid Sume of Twelve hundred pounds of Tobacco debt, as also ffive hundred ffifty six pounds of Tobacco Costs of Suite and the debt in Mercy &c p. 232

Archibold Arthur ag ^t	}	Josias Lenham and James Balderstone
Josias Lenham & James Balderstone Adm ^{rs} of		late of Kent County Adm ^{rs} of the goods
John Desiardens		and Chattles of John Desiardens deceased
		was sumoned to Answer unto Archibold
		Arthur Chirurgion of a plea that they
		Render unto him the full and Just sune

of Three thousand two hundred pounds of good Sound Marchantable leafe Tobacco and Casq̃ w^{ch} from him they unjustly detaine

And whereupon the said Archibold Arthur by George Parker his Attorney sayth That Whereas the said John Desiardins the Twenty Eighth day of March 1678 by his Certaine bill or Writeing obligatory Sealed wth the Seale of the said John Desiardins and here in Court produced whose date is the day and yeare first above Written, did owe and Stand indebted unto Archibold Arthur Chirurgion to him his heires Ex^{rs} Adm^{rs} or assignes in the full and Just Sume of Three thousand Two hundred pounds of good sound Marchantable Leafe Tobacco & Caske to bee paid to the said Archibold Arthur or to his order at or before the Tenth day of October next ensueing the date of the said bill or Writeing obligatory att Some Convenient Landing place in Chester not Exceeding half a Mile from the water side, att One Entire payment well and Truely to bee made the said John Desiardins did hind himselfe his heires Executors Adm^{rs} or assignes firmly by those p^rsents, Notwithstanding w^{ch} the said John Desiardins in his life time nor they the said Josias Lenham and James Balderstone since his death to whome Letters of adm^{con} of all and Singuler the goods Chattles and debts of the said John

Liber W. C. Desiardins Since his death was Comitted the said sune of three thousand Two hundred pounds of Tobacco & Casq to him the said Archibold Arthur according to the Teno^r of the Said bill or writeing obligatory Although thereunto often required hath not payd, but the same to pay hath altogether denyed and Refused and Still doe denye & refuse to pay the Same, to the greate damage of him the said Archibold Arthur, whereupon hee saith that hee is damnified and hath Losse to the Vallue of ffive thousand pounds of Tobacco, and thereupon hee bringeth his Suite

p. 233 And the Said Josias and James by Robert Ridgely their Attorney Come and defend the force and injury when &c. and pray Liberty to imparle hereunto untill next Provinciaill Court and It is granted unto them the Same day is given to the plantiffe also :

Afterwards To witt the Eighteenth day of ffebruary in the ffith yeare of the Dominion of The Right hono^{ble} Charles Lord Baltemore &c Annoq Domini 1679 came the Said partyes by their Attorneys aforesaid, and the said Josias and James by their Said Attorney Say, That the aforesaid plantiffe his accon aforesaid against them ought not to have, because they say that They have fully administred all and Singular the goods Chattles & Credits w^{ch} were of the said John Desiardines at the time of his death in their hands to bee administred of, nor any goods & Chattles unadministred in their hands had of the deceaseds at the time of the p^{ts} suing out the originall writ upon this accon, nor at any time afterwards, and this they are ready to averre, and thereupon Demands Judgm^t if the aforesaid p^t his accon aforesaid against them ought to have

And the said Archibold Arthur by his said Attorney saith, That hee by any thing before alleadged ought not to bee debarred from having his accon aforesaid, because hee sayth that they the said Josias Lenham and James Balderston, the day of the Issueing forth the originall writ, of him the S^d Archibold Arthur had divers goods & Chattles w^{ch} were the aforesaid Jn^o Desiardines at the time of his death in their hands to be administred to the vallue of the aforesaid debt of three thousand Two hundred pounds of Tobacco. Whereby they Were able to satisfy him the same debt, and this hee prayeth may bee Enquired of by the Country. and the s^d defend^{ts} Likewise, **Therefore** It is Comanded the Sheriffe of S^t Maryes County That hee cause to Come here Twelve &c. by whome &c. and who neither &c. To Recognize &c. because as well &c.

On w^{ch} said ffourteenth day of ffebruary in the yeare aforesaid Came the said partyes by their Attorneys aforesaid, and the Juro^{rs} impannelled being called Likewise came. To witt, Robert Ellis William Thomas, Henry Exon, James Veitch, Thomas Beale, Samth Dobson William Boydon, Bernard Johnson, Thomas Allanson, Edward Sise, Gilbert Turbervile & Jn^o Richardson who being Elected Tryed and Sworne to say the truth in the p^rmisses Upon their oaths

doe Say That the said defend^{ts} have fully administred all and singuler the goods Chattles and Credits w^{ch} were of the said John Desiardins at the time of his death in their hands to bee administred of, nor any goods and Chattles unadministred in their hands had of the deceaseds at the time of the pl^{ts} suing out the originall Writ Upon this ac^{con} or at any time afterwards W^{ch} verdict of the Juro^{rs} aforesaid being heard the p^t by his Attorney afores^d Moved the Court here in arrest of Judgm^t. Day is thereupon given unto both ptyes untill next Provinciaall Court: And Now here at this day to witt the Six and Twentyeth day of November in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq^{ue} Dommi 1680 Came the said partyes by their Attorneys aforesaid, and the said Archibold Arthur by his said Attorney sayth, That the said defend^{ts} pleaded that they had fully administred the goods and Chattles of the said John Desiardines, and the p^t had time allowed him to make appeare that the said Adm^{rs} had Assets in their hands, and Did shew to the Court and Jury here that the Seaverall Sumes hereafter mentioned (to bee paid by them) to bee assets in their hands as followeth.

Liber W. C.

p. 234

(1)—First that the said Judgm^t is Erronious in this that the said defts have unjustly because Contrary to Lawe paid and allowed themselves by p^rtended Articles of agreem^t from the decd for building the said deceaseds house, when they have not built and finished the house as by the said Articles they were Obleiged to doe, w^{ch} must bee assets in their hands

ib Tob
6000

(2)—Secondly the said Judgm^t is Erronious in this. That the said Sume of six thousand pounds of Tobacco was an Inferio^r debt, & of a Lower Nature then the p^{ts} by reason his was a Specialty and put in Suite, Therefore ought to bee payd before any other debt for pformance of Covenants

(3)—Thirdly the said Judgm^t is Erronious in this. That the said defts have unjustly being contrary to Law paid and allowed themselves by acco^t from the dec^d The sume of three thousand ffifty and Nine pounds of Tobacco w^{ch} is also an Inferio^r debt to the said pl^{ts} w^{ch} must bee Assets in their hands also.....

3059

(4)—Fourthly the said Judgm^t is Erronious in this That the s^d defts have unjustly being also Contrary to Law paid and allowed themselves by acco^t for a hyred Servant for ayding and Assisting the s^d Adm^{rs} in building the house, w^{ch} is a debt Contracted by themselves & must bee Assets also in their hands.....

1500

Liber W. C. (5) Fifthly the said Judgm^t is Erronious in this That the
 s^d Defts haveing also Unjustly being Contrary to Law,
 paid to Majo^r Ringold for Wheate delivered to the de-
 ceaseds Widdow, the sume of One thousand pounds of
 Tobacco as by their acco^t May appeare w^{ch} is an inferio^r
 debt to the p^{ts} w^{ch} must bee Assets in their hands.....

1000

ii 559

And therefore the said p^{ts} prays the Said Judgm^t may bee Re-
 versed & had for Nothing, and that hee the said plt as to all things
 by him sustained by reason of the Judgm^t aforesaid may bee Re-
 stored, the said Adm^{rs} haveing asets in their hands to the Vallue of
 Eleaven thousand ffifty nine pounds of Tobacco as above may appeare

p. 235 W^{ch} Reasons aforesaid being Read and heard, It seemeth to the
 Justices here That the same Reasons are insufficient in Law to
 arrest Judgm^t Upon the Verdict of the Juro^{rs} aforesaid, Therefore
 It is Considered that the said Archibold Arthur take nothing by his
 writt but bee in Mercy for his false plaint thereon, and that the
 said Defts may goe from thence w^{thout} day, and alsoe that the
 said Josias Lenham and James Balderstone Doe Recover against
 the said Archibold Arthur the Sume of Seaven hundred Eighty
 ffoure pounds of Tobacco for their Costs and Charges by them
 about their defence in this behalfe Laid out and Expended, and the
 said Josias and James May have thereof Execution

John Harris } George Gunnell late of Baltemore County other-
 ag^t } wise called George Gunnell of the County of Balte-
 George Gunnell } more Chirurgion was Sumoned to answer unto
 John Harris of the City of London Maryner of a
 plea that hee Render unto him the Sume of Twelve Thousand
 Nine hundred seaventy Six pounds of Tobacco w^{ch} to him hee oweth
 and Unjustly detaineth

And Whereupon the said John by Robert Carville his Attorney
 Sayth, That Whereas the said George upon the ninth day of October
 in the Yeare of our Lord 1678 by his Certaine bond or writeing
 obligatory Sealed wth the Seale of him the said George and here in
 Court produced whose date is the day and Yeare aforesaid, Did
 acknowledge himself to bee holden and firmly bounden unto the
 said John Harris in the full sume and Just Quantity of Twelve
 Thousand Nine hundred Seaventy six pounds of good Sound well
 Condiçoned Tobacco and Casq To bee paid to the said John Harris
 or to his Certaine Attorney Ex^{rs} or Adm^{rs}, Yet Notwthstanding the
 said George the said Sume of Twelve thousand Nine hundred Seav-
 enty Six pounds of Tobacco to him the said John according to the

Teno^r of the said Bond though often thereunto Requested hath not payd or satisfied, but the same to pay & Satisfy hath hitherto denied & refused, & still doth denye and Refuse to pay the Same to the damage of the Said John ffifteen Thousand pounds of Tobacco & thereupon hee bringeth his suite Liber W. C.

And the said George by Kenelm Cheseldyn his Attorney Cometh and defendeth The force and Injury When &c. and Prayeth the hearing of the sd Writeing obligatory and it is Read unto him, hee also prayeth the hearing of the Condicon of the said Writeing obligatory and It is read unto him in these words. The Condicon of this Obligacon is Such That if the above bounden George Gunnell Peter Ellis & John Hyland or any of them their or any of their heirs Ex^{rs} or Adm^{rs} or any of them, doe Well and truely pay or cause to be paid unto the said John Harris his Ex^{rs} Adm^{rs} or assignes, the full Sume and Just Quantity of Six Thousand ffoure hundred Eighty and eight pounds of good sound well Condiconed Tobacco in Casq on the Tenth day of December next Ensueing the day of the date of these p^rsents at Some Convenient place in the Said County Of Baltimore wthin halfe a Mile of the water side. Then this p^rsent obligacon to be Voyd and of None effect, or else the Same to Stand and Remaine in full force and Vertue p. 236

Now here att this day to witt the Thirtyeth day of November in the fifth yeare of the Dominion of the Right honorable Charles Lord Baltimore &c Annoq; Domini 1680 Cometh the said John Harris by his Attorney aforesaid and Offereth himself against the said George Gunnell in the plea aforesaid, But the said George Cometh not but maketh default Therefore It is Considered by the Court here that the said John Harris Recover against the Said George Gunnell aswell the aforesaid sume of Twelve thousand Nine hundred Seaventy six pounds of Tobacco debt. as also the sume of ffive hundred ffifty two pounds of Tobacco costs of Suite. And the debt in Mercy &c

John Paler } Gerrard Slye gentl late sheriffe of S^t Maryes County
ag^t } was attached to answer unto John Paler of a Plea of
Gerrard Slye } Trespas of the case.

And Whereupon the said John Paler by Robert Carvile his Attorney Sayth that Whereas the Same John Paler formerly that is to Say upon the ffifteenth day of June in the yeare of our Lord 1678 in the Provinc^l Court held at the Citty of S^t Maryes before his Lopps Justices there by Consideracon of the same Court had Recovered against one Thomas Robinson of S^t Maryes County aforesaid planter aswell a Certaine debt of ffoure Thousand pounds of Tobacco, as also Six hundred & Sixteen pounds of Tobacco for Costs of Suite whereof hee was Convict as by the Record and processe thereof in the said Prov^l Court Remaining manifestly appeareth, Upon w^{ch} same Judgm^t the Same Jn^o Paler for the more

Liber W. C. Speedy recovery of his debt and Costs aforesaid, afterwards to witt the Seaventeenth day of October in the Yeare of our Lord 1678 aforesaid had prosecuted out of the said Court a Certaine Writt of his Lo^{pp} the Lord Prop^{ty} of ffieri facias against the said Thomas Robinson To the sheriffe of S^t Maryes County aforesaid Directed, By w^{ch} Same writt his Lopp did Comand the Same Sheriffe of the said County of S^t Maryes That of the goods and Chattles of the said Thomas Robinson in his Baliwick hee should Cause to bee made aswell The aforesaid Sume of ffoure thousand pounds of Tobacco debt w^{ch} the Same John Paler in the aforesaid Court had Recovered against him on the said ffifteenth day of June aforesaid Whereof hee was Convicted as also the said Sume of Six hundred and sixteen pounds of Tobacco costs of Suite. and that hee Should

p. 237
 have the Same before his Lopps Said Justices at the Said City of S^t Maryes the ffifth day of March then next Ensueing to Render to the aforesaid John Paler for the debt and costs aforesaid in forme aforesaid w^{ch} Said writt the Same John Paler afterwards (To witt) the Six & Twentiyeth day of October aforesaid at Bushwood in the said County of S^t Maryes did deliver to the said Gerrard Slye being then Sheriffe of the said County of st Maryes in forme of Right to bee Executed, and at the Returne of the Same writt To witt Upon the said ffifth day of March aforesaid before the said Justices at s^t Maryes aforesaid came the aforesaid John Paler by his Attorney and the said Gerrard Slye then Sheriffe of S^t Maryes County returned the writt aforesaid in forme aforesaid to him directed and Delivered (that is to Say) That hee the Same Gerrard Slye then Sheriffe of S^t Maryes County aforesaid by vertue of the same writt had Executed ffive hundred Eighty and Eight pounds of Tobacco being the Cropp of the said Robinson, Six hundred and fifty pounds of Tobacco in the hands of Joseph Stratford, ffive barrells of Corne in the hands of Cap^t Justinian Gerrard being likewise the Cropp of the said Robinson Vallued at ffive hundred pounds of Tobacco, Six hundred and ffifty pounds of Tobacco in the hands of Thomas Edwards who since was runn away, as hee was Comanded All w^{ch} said Sumes doe in the whole amount unto the Sume of Two thousand three hundred Eighty and eight pounds of Tobacco. Yet the said Gerrard Slye the said Sume of Two thousand three hundred eighty eight pounds of Tobacco by him Taken and Leavyed as aforesaid, to him the said John Paler Towards Satisfac^{on} of his debt and costs of Suite aforesaid hath not Rendred though often thereunto Required, but the same Tobacco by him the aforesaid Gerrard taken and Leavyed as aforesaid Afterwards to witt the Tenth day of March aforesaid to the prop use and proffit of him the said Gerrard Sheriffe as aforesaid hath Converted & disposed by w^{ch} the said Jn^o Paler of the debt and Costs aforesaid is wholly Defrauded, Whereupon hee Sayth hee is damnified and hath losse to the value

of Seaven thousand pounds of Tobacco, and thereupon hee bringeth his suite Liber W. C.

And the said Gerrard Slye by Robert Ridgely his Attorney Cometh and defendeth the force and Injury when &c and prayeth Liberty to imparle hereunto untill next Prov^t Court and It is granted unto him the Same day is given to the plantiffe Likewise.

Now here at this day to witt the Thirtyeth day of November in the sixth Yeare of the Dominion of the Right honorable Charles Lord Baltemore &c Annoq^o Domij 1680 Came the said partyes by their Attorneys aforesaid, and the said Deft by his Said Attorney sayth, That hee is in noe wise guilty of the premisses above imposed Upon him, in manner and forme as the said John above in his Declaracon against him hath Complained, and of this hee puts himself upon y^e Country and the p^t also: Therefore It is Comanded the sheriffe of S^t Maryes County that hee Cause to Come here Twelve &c: by whome &c. and who Neither &c: To Reognize &c, because as well &c.

On w^{ch} said Thirtyeth day of November in the Yeare aforesaid Came the Said pyes by their Attorneys aforesaid, and the Juro^{rs} Impanelled being Called Likewise Came To witt John Stanley, John LeMare, Edw^d Ward Giles Wilson, William Thomas, Thomas Adams, Gilbert Turberville John Hyland, Peter Ellis, Thomas Spinke, John Addison, and Eman^t Ratcliffe, who being Elected Tryed and Sworne to Say the truth in the premisses Upon their Oaths Doe Say, That the said Gerrard Slye is guilty of the premisses above by the plantiffe imposed Upon him in manner and forme as the said plt above in his Declaracon against him hath Complained, Therefore It is Considered by the Court here That the said John Paler Recover against the said Gerrard Slye aswell the aforesaid Sume of Two thousand three hundred eighty eight pounds of Tobacco debt as also the sume of, Eleaven hundred Eighty two pounds of Tobacco Costs of Suite, and the deft in Mercy &c p. 238

John Sanders	}
ag ^t	
Thomas Helgar	
Gerrard Slye	
ag ^t	
Thomas Helgar	
John England	
ag ^t	
Gerrard Slye	
Thomas Jones	}
ag ^t	
John England	
John England	
ag ^t	
Thomas Jones	}

These nine Accons are continued untill next Provinc^l Court

Liber W. C.	John Penroy	}	}
	ag ^t		
	Robert Mason	}	
	Edward Pynn		
	ag ^t	}	
	Jonathan Sybrey		
	John Richardson	}	
	ag ^t		
	William Dare	}	
	Jn ^o Richardson		
	ag ^t	}	
	W ^m Dare Adm ^r of		
	Jn ^o Parker		

p. 239	John Richardson	}	}
	ag ^t		
	W ^m Dare Adm ^r of	}	
	John Parker		
	Marke Cordea	}	
	ag ^t		
	W ^m Willowby	}	
	Christopher Rousby p		
	Domino Rege	}	
	ag ^t		
	Robert Carvile	}	
	James Mills		
	ag ^t	}	
	Henry Johnson		
	W ^m Phelps	}	
	ag ^t		
	Edw ^d pindar Adm ^r of	}	
	W ^m ffoorde		
	Proprietary	}	
	ag ^t		
	Thomas Walker	}	
	The Same		
	ag ^t	}	
	Josias Seward		
	Jn ^o Taveno ^r & ux	}	
	ag ^t		
	Nich Nicolson & ux	}	
	Ad ^x of W ^m Gough		
	John Machen	}	
	ag ^t		
	Gerrard Slye		

These Tenn acōns are Continued Untill
next Provinc^l Court

Nehemiah Blackiston }
 ag^t }
 Gerrard Slye }

Garret Vanswearingen Adm^r }
 of Jn^o Deery }
 ag^t }
 Jn^o Quigley }
 The Same }
 ag^t }
 The same }
 Garret Vanswearingen }
 ag^t }
 John Quigley }

} These three acc^ons abate the def^t
 being dead

Thomas Hagelton }
 ag^t } This ac^on is continued untill next Court
 Thomas Truman }

p. 240

John Quigley }
 ag^t } This accon abates the p^lt being dead
 Marke Cordea }

Edward Mann }
 ag^t } This ac^on abates the def^t being dead
 John Quigley }

Mary Jones Adm^x of Morgan }
 Jones deceased }
 ag^t }
 Gerrard Slye }
 The Same }
 ag^t }
 Clement Hill }

} These two acc^ons abate y^e Plt
 being dead

W^m Calvert Esq^r }
 ag^t }
 Thomas Long }
 Henry Darnall Esq^r }
 ag^t }
 John Anderson }
 John England }
 ag^t }
 W^m Guither Ex^r of }
 Nic Guither }

Liber W. C. Leonard Greene	}	These Eight accons are agreed
ag ^t		
Thomas Barker		
Henry Lewis		
ag ^t		
Barnard Eaglestone		
Margaret Stagg Ad ^x of		
Thomas Stagg		
ag ^t		
Richard Browton		
Edward Howard	}	
ag ^t		
Cha Harington		
John Beamon		
ag ^t		
W ^m Cockee	}	

p. 241 Robert Carville } The def^t by Thomas Burford his Attorney ap-
 ag^t } pears this Court and imparles untill next Prov^l
 Robert Thompson } Court

Proprietary }
 ag^t } Unlesse the def^t appeare next Court the Sher
 Thomas Clipsham } of Charles County amerced

John Harris }
 ag^t }
 Peter Ellis } These Two accons are Continued by consent of the
 The Same } defts being present in Court
 ag^t }
 John Hyland }

Christopher Rousby }
 ag^t } Unlesse the def^t appeare next Court The Sher-
 John phillips } iffe of Dorchester County amerced

Charles L^d Baltemore & }
 Benj^a Rozer Esq^r Ex^{rs} of }
 Thomas Notley Esq^r dec^d } Unlesse the def^t appeare next Court the
 ag^t } sher of S^t Maryes County Amerced
 Thomas Jones }

John Baker }
 ag^t }
 Vincent Lowe Esq^r }
 The same ag^t }
 ag^t } The p^{lts} file their bills ag^t the def^t one of the
 The same } Justices of this Court

Liber W. C.

William Jones }
 ag^t }
 Vincent Lowe Esqr }

Marke Cordea & John }
 Addison } The p^ls file their bills ag^t the deft one of
 ag^t } the Attorneys of this Court
 Christopher Rousby }

Lord Proprietary }
 ag^t } Unlesse the deft appeare next Court the Sher-
 Matthew Scarbrough }iffe of Somerset County amerced
 & Tho: Pointer }

Kenelme Cheseldyn & } p. 242
 Mary his wife }
 ag^t }
 Josua Guibert } This causes is dismissed the defts not ap-
 James Neale Sen^r }pearing this Court
 ag^t }
 Rob^t Thompson }

Roger Eades }
 ag^t } This accō of Ejectm^t is continued untill next Pro-
 James Peterkin }vinciall Court

Charles L^d Baltemore & }
 Benjamin Rozer Esqr Ex^{rs} of }
 Thomas Notley Esqr } This accō is agreed
 ag^t }
 Joshua Guibert }

Thomas ffoulkes & ux Adm^r }
 Thomas ffisher }
 ag^t }
 Rob^t Washfeild Henry } Unlesse the defts appeare next Court
 Johnson & Ellino^r Johnson }the Sheriffe of Dorchester County
 The Same } amerced
 ag^t }
 The Same }

John Rogers ag^t } Unlesse the deft appeare next Court the Sheriffe
 Henry Hollis } of Calvert County Amerced

George Atcheson } Ninian Beale Guardian of the p^lt being p^rsent in
 ag^t } Court & informing the Court that this accō is
 Thomas Aldnell } agreed It is Ordered that the same bee Entred
 agreed upon Record :

Liber W. C.	Henry Darnall Esq ^r	}	These Two ac̄ons are agreed
	ag ^t		
	Michael Higgens		
	James Derumple & Mary his		
	wife Ex ^x Jn ^o Clements		
	ag ^t	}	
	Edw ^d pindar Adm ^r of		
	William ffoorde	}	

William Rousby	}	This ac̄on is agreed
ag ^t		
Thomas Bowdle	}	

p. 243	Edward Lunn qui tam bene &c	}	The Defts by Robert Carvile their Attorney appeare & imparle untill next Prov ^l Court
	ag ^t		
	Anthony Demondadeer		
	John Graham		
	ag ^t		
	Ambrose London		
	Richard Metcalfe		
	ag ^t		
	Eman ^{ll} Jenkinson		
	Robert Yeates & W ^m Jones		
	ag ^t		
	Thomas Vaughan		
	John Beaman		
	ag ^t		
	Jn ^o Bird & Eliz ^a his wife		
	Ex ^x of Henry Lewis		
	Michael Miller		
	ag ^t		
	Clement Hill		
	George Smith		
	ag ^t		
	Eliz ^a Green at Potter		

Ninian Beale	}	}
ag ^t		
Seth Biggs		
James Magruther		
ag ^t		
Seth Biggs		
Benj ^a Laurence		
ag ^t		
Edw ^d pindar		

Hugh Reynolds	}	The defts by Rob ^t Ridgely their Liber W. C. Attorney appeare & Imparle untill next Prov ^l Court
ag ^t		
Thomas Hebb:		
ffrancis Maude		
ag ^t		
Ambrose Bailey		
Raymond Staplefort		
ag ^t		
Timothy M ^a nemarra		
Gerrard Slye Ad ^r Rich ^d Chilman	}	
ag ^t		
William Boareman	}	

Gerrard Slye Adm ^r of Rich ^d Chillman	}	The defts by Rob ^t Ridgely their Attorney appeare and imparl untill next Prov ^l Court
ag ^t		
William Boareman		
Jn ^o Bird & Eliz ^a his wife		
Ex ^{ix} Henry Lewis		
ag ^t		
Theop: Hacket & ux Ex ^x of Edward Skidmore		
Jn ^o Rousby qui Tam bene &c		
ag ^t		
William Price		
John Rousby		
ag ^t		
William Price		
William Wells		
ag ^t		
W ^m Thomas		
Nehemiah Blackiston		
ag ^t		
William Harper	}	

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Susanna Utie	}	These Two ac ^o ns being Upon an appeale from Baltimore County Court the defts by Rob ^t Ridgely their Attorney appeare and Imparle untill next Prov ^l Court
ag ^t		
John Nichols & ux		
The Same		
ag ^t		
The Same	}	

Thomas Taylor	}	This cause being upon an appeale from Dorchester County Court the deft by Rob ^t Ridgely his Attorney appeares & Imparles untill the next Provinciall Court
ag ^t		
Anthony Dawson	}	

Liber W. C. Peter Ellis & ux Ad^s of } This Cause being upon a writt of Erro^r
 W^m Palmer } the deft by Rob^t Ridgely his Attorney
 ag^t } appeares & imparles untill next Provincia^l
 Thomas preston } Court .

Gerrard Slye } This cause being Upon a writt of Erro^r the deft by
 ag^t } Robert Carvile his Attorney appeares & imparles un-
 Joshua Doyne } till next Provincia^l Court

Justinian Gerrard } The p^lt this Court fileth his bill ag^t the deft being
 ag^t } One of the Attorneys of this Court
 Henry Bonner }

p. 245 Marke Cordea }
 ag^t }
 John fisher }
 Richard Perry }
 ag^t }
 Thomas Gant }
 The Same }
 ag^t } The defts by Kenelm Cheseldyne their Attor-
 The Same } ney appeare and Imparle untill next Provinc-
 The Same } iall Court
 ag^t }
 The Same }
 Emanuell Ratcliffe }
 ag^t }
 Symon Spratling }

John Ascomb }
 ag^t }
 Thomas Norman } The defts by Charles Boteler their Attorney
 John Smith } appeare and Imparle untill next Provinc^l
 ag^t } Court
 Thomas Kinnastone }

Thomas Bland } The deft by Thomas Burford his Attorney appears
 ag^t } & imparles untill next Provinc^l Court
 Richard Hill }

Henry Mitchell } This accon being Upon an appeale the deft by
 ag^t } Christopher Rousby his Attorney appeares & im-
 Walter Davis } parles untill next Provincia^l Court

Nicholas Painter & Judeth his wife Adm ^r of W ^m Parker ag ^t John Loftis	}	The deft by George Parker his Attor- ney appears & imparles untill next Pro- vinciall Court	Liber W. C.
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Susanna Keene ag ^t Thomas Smith	}	This ac ^o n is agreed
--	---	----------------------------------

Thomas Tasker ag ^t John Broome	}	This ac ^o n being in Ejectm ^t the deft by Kenelm Cheseldyn his Attorney appeares & imparles untill next Provinciall Court
---	---	---

Gerrard Slye ag ^t Thomas Potter	}	Comand was given to the Sheriffe of S ^t Maryes County that hee take Thomas Potter late of S ^t Maryes County planter If hee should be found in his baliwick and him Safe Keepe Soe that hee have his body here the ffifth day of October in the fifth year of the Domin- ion of the Right hono ^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 to answere unto Gerrard Slye in a plea that hee Render unto him the full and Just Sume of Two thousand & Two pounds of good Sound Marchantable Tobacco & Casq ^o w ^{ch} to him hee oweth and Unjustly Detaineth, w ^{ch} said ffifth day of October on w ^{ch} the said Court was to bee held was by his Lopps writts of adjournment adjourned untill the three and Twentyeth day of Novemb ^r then next ffollowing, Att w ^{ch} Said three and twentyeth day of November Majo ^r William Boareman Sheriffe of the County aforesaid made return of the writt aforesaid that the Said Thomas Potter is not found w ^{thin} his baliwick Whereupon the said Gerrard by Robert Ridgely his Attorney prayed an Attachm ^t ag ^t the goods chattles and debts of the said Thomas Potter according to Act of Assembly in that case made and provided and It is granted by the Court here	p. 246
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W ^m Guither ag ^t James Lewis	}	Comand was given to the Sheriffe of S ^t Maryes County that hee take James Lewis otherwise called James Lewis of S ^t Maryes County in the Province of Maryland if hee Should bee found in his baliwick and him safe Keepe soe that hee have his body here the ffifth day of October in the ffifth year of the Dominion of the Right hono ^{ble} Charles L ^d Baltemore &c Annoq Dominj 1680 to answere unto William Guither in a plea that hee Render unto him Two thousand pounds of Tobacco w ^{ch} to him hee oweth and Unjustly detaineth, w ^{ch} said ffifth day of October on w ^{ch} t the said Court was to bee held was by his Lopps writts of Adjournment adjourned untill the
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Liber W. C. three and Twentyeth day of November then next ffollowing Att w^{ch} said Three and Twentyeth day of November Majo^r William Boareman Sheriffe of the County aforesaid made Returne of the writt aforesaid. That the said James Lewis is not found wthin his Baliwick Whereupon the said William Guither by Robert Carville his Attorney prayed an attachm^t against the goods chattles and debts of the said James Lewis according to Act of Assembly in that case made and provided, & It is granted unto him by the Court here

John Baker
ag^t
George Gunnell } Comand was given to the Sheriffe of s^t Maryes
County that hee take George Gunnell late of Baltemore County Chirurgion otherwise Called George Gunnell of Baltemore County gent^l if hee should bee found in his Baliwick and him safe Keepe Soe that hee have his body here the three and twentyeth day of November in the ffifth yeare of the Dominion of the Right honoble Charles Lord Baltemore &c Annoq^d Dominj 1680 to answe^re unto John Baker in a plea that hee Render unto him the full and Just Quantity of one thousand Six hundred thirty one pounds of good Sound Marchantable Tobacco and Caske w^{ch} to him hee [oweth] Att w^{ch} said Three and Twentyeth day of November John Stansby Sheriffe of the County aforesaid made Returne of the writt afores^d that the said George Gunnell is not found wthin his baliwick but is fled out of the Province Whereupon the Sayd John Baker by Robert Ridgely his Attorney prayed an Attachm^t against the goods chattles and debts of the Sayd George Gunnell according to act of Assembly in that Case made and Provided, And It is granted by the Court here.

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Henry Exon
ag^t
George Gunnell } Comand was given to the sheriffe of S^t Maryes
County that hee take George Gunnell otherwise Called George Gunnell of Baltemore County Chirurgion if hee should bee found in Your baliwick and him safe Keepe soe that hee have his body here the three and Twentyeth day of November in the Sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq^d Dominj 1680 to answe^re unto Henry Exon in a plea that hee Rend^r unto him the full Sume and Just Quantity of Two Thousand Seaventy one pounds of Tobacco w^{ch} to him hee oweth & Unjustly Detaineth. Att w^{ch} Said three and Twentyeth day of November Majo^r William Boareman Sheriffe of the County aforesaid made Returne of the writt aforesaid that the said George Gunnell is not found in his baliwick Whereupon the said Henry Exon by Robert Ridgely his Attorney prayed an Attachm^t against the goods chattles and debts of the said George Gunnell according to Act of Assembly in that case made and provided. & It is Granted by the Court here

Eman^{ll} Ratliffe } Comand was Given to the Sheriffe of S^t Maryes Liber W. C.
 ag^t } County that hee take Thomas Penroy late of
 Thomas Penroy } St Maryes County Maryner otherwise Called
 Thomas Penroy Master of the Ketch Prosperous
 of London if hee should bee found in yo^r baliwick & him safe Keepe
 soe that hee have his body here the three & Twentyeth day of
 November in the fifth yeare of the dominion of the R^t hono^{ble}
 Charles Lord Baltemore &c Annoq Dominj 1680 to answere unto
 Eman^{ll} Ratliffe in a plea that hee Render unto him the full & Just
 Quantity of Two thousand foure hundred & two pounds of good
 sound Marchantable Tobacco & Casq w^{ch} to him hee oweth and
 Unjustly detaineth, Att w^{ch} said three & Twentyeth day of Novem-
 ber Majo^r William Boareman sheriffe of y^e County aforesaid made
 returne of the writt aforesaid that the said Thomas Penroy is not
 found wthin his Baliwick Whereupon the Said Eman^{ll} Ratliffe by
 Robert Ridgely his Attorney prayed an Attachm^t ag^t the goods
 chattles and debts of the said Thomas Penroy according to Act of
 Assembly in that case made and provided and It is granted by the
 Court here

Thomas Clipsham & John }
 ffaning (ag^t) }
 Alexander Gourden John } This accon is agreed
 Whitehead Henry ffranklin & }
 John Story }

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Henry Mitchell }
 ag^t } Unlesse the deft apeare next Court the Sheriffe of
 W^m Taylor } Charles County amerced

Gerrard Slye }
 ag^t } The Jury finding for the p^{lt} in this Cause
 Margaret Stagg Adm^{rx} } Two thousand three hundred fifty nine
 of Thomas Stagg } pounds of Tobacco the deft by Robert Car-
 vile her Attorney Moved in arrest of
 Judgm^t Day is thereupon given to both
 ptyes untill next Provinciall Court

Michael Miller }
 ag^t } The deft by Rob^t Carvile his Attorney appears
 Paul Winborough } & imparles untill next Provinciall Court

James Philips & al }
 ag^t } Comand was given to the Sheriffe of S^t Maryes
 George Gunnell } County that hee take George Gunnell late of
 S^t Maryes County gent^l otherwise Called
 George Gunnell of Baltemore County Chirur-
 gion if hee should bee found in his Baliwick & him Safe Keepe soe

Liber W. C. that hee have his body here the three and Twentyeth day of November in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 To answer unto James Philips & Thomas Cannon in a plea that hee Render unto them the full Sume and Just Quantity of One hundred and Twenty thousand pounds of good sound Marchantable Tobacco, w^{ch} to them hee oweth & Unjustly detaineth Att w^{ch} said three and Twentyeth day of November Major William Boareman Sheriffe of the County aforesaid made Returne of the writ aforesaid as followeth Viz (Tarde) Whereupon the said James Philips & Thomas Cannon by Robert Ridgely their Attorney prayed an Attachment ag^t the goods Chattles and debts of the s^d George Gunnell according to Act of Assembly in that Case made and Provided, & It is granted by the Court here

Thomas Parker	}	Thomas Vaughan sheriffe of Talbot County not
ag ^t		having the body of the deft here this Court is
James Clayland		amerced unto his Lopp ffoure pound Sterl

p. 249 W^m Burges } Upon mo^{on} made unto this Court by Robert Ridgely
 ag^t } Attorney for the deft who hath filed his bill of Com-
 Rich^d Hill } plaint against the p^{lt} for an Injun^{on} in this Cause,
 It is Ordered that this Cause bee Stayed by Injun^{on}
 untill the plt Shall put in his answer to the defts bill

Jn ^o Butcher	}	The Jury finding for the p ^{lt} in this cause ffive hun-
ag ^t		dred pounds of Tob ^d damages w th costs of suite, The
John Hartwell		deft by Robert Ridgely his Attorney moved in ar- rest of Judgm ^t , Whereupon day is given to both ptyes untill next Provinciaall Court

Lydia Solley	}	This Cause being Upon a Writt of Erro ^r from
ag ^t		Charles County Court is Continued untill next
Collen Mackensy		Provinciaall Court

John Atkey	}	Vincent Lowe Esq ^r one of the Justices of this Court
ag ^t		informing the Court that this Cause is agreed, It is
John Price		ordered that this Cause bee Entred agreed Upon Record

Thomas Jones	}	The Jury finding for the deft in this Cause The
ag ^t		p ^{lt} by Robert Ridgely his Attorney moved in arrest
Sam ^{ll} Dobson		of Judgm ^t , Whereupon day is given to both parties until next Provinciaall Court

Mary Roe Ex ^{ix} of	}	Neither p ^{lt} nor Deft appearing, This Cause is Dismissed by the Court
Edward Roe		
ag ^t		
Thomas Mountfort		

W^m Jones } The pl^t not appearing to prosecute his Suite ag^t the deft
 ag^t } this Cause is dismissed by the Court
 W^m Pyke }

Liber W. C.

Jn^o Abington } This Cause being Upon an appeale from Calvert
 ag^t } County Court, and the Court being informed by
 W^m Kidd } George Parker Attorney for the pl^t, That the Comis^{rs}
 of the said County Court have not Transmitted to the
 Justices of this Court a Transcript of all the proceedings in this
 Cause, Itt is Ordered that his Lopps Writt of Diminucon Issue, and
 that the deft assigne new Erro^{rs}

November the 30th 1680

Then was Robert Carvile admitted by this Court Guardian to
 Dan^{ll} Moy Sonn of Richard Moy dec^d to psecute and defend for
 him all manner of ac^{co}ns Whatsoever

W^m Smith } Gerrard Slye gentl Sheriffe of s^t Maryes County was
 ag^t } Attached to answe^r unto W^m Smith of a plea of
 Gerrard Slye } Trespasse of the Case.

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And Whereupon the said W^m Smith by Robert
 Carville his Attorney Sayth That Whereas one Robert Neale of
 s^t Maryes County the nine and twentyeth day of January in the
 yeare of our Lord 1676 by his Certaine Writeing obligatory sealed
 wth the seale of him the said Robert. acknowledged himself to bee
 bound unto the said W^m Smith in the sume of Two thousand Six
 hundred pounds of good Sound Marchantable Tobacco & Caske
 to bee paid to the sd W^m Conveniently in Piccawaxen Creeke at or
 before the Tenth day of December then next Ensueing, w^{ch} said
 Two thousand six hundred pounds of Tobacco the said Rob^t though
 often thereunto requested had not paid to the said William, ffor
 Recovery of w^{ch} Said Sume of Two thousand six hundred pounds
 of Tobacco The s^d William Upon the thirteenth day of Aprill in the
 Yeare of our Lord 1678 had prosecuted out of the Prov^{ll} Court here
 that is to say att the Citty of S^t Maryes a Certaine writt of his
 Lo^{pp} the Lord Prop^{ty} against the said Robert Neale of a plea that
 hee Render unto the said W^m Smith the Said Sume of Two thou-
 sand Six hundred pounds of Tobacco, To the sheriffe of S^t Maryes
 County directed, By w^{ch} said writt his Lopp had Comanded the
 said sheriffe that hee should take the said Robert Neale If hee
 should bee found in his baliwick and him safe Keepe Soe that hee
 should have his body before his Lopps Justices of the said Court
 att S^t Maryes aforesaid the Eleaventh day of June then next to
 answe^r the said W^m Smith of the plea aforesaid, and that hee
 should have there the said Writt, By verture of w^{ch} said writt the
 said Gerrard Slye then being Sheriffe of the said County of

Liber W. C. S^t Maryes did make Returne of the Writt aforesaid that hee had taken the body of the said Robert Neale Whose body hee had Ready att the day and place wthin required as hee was Comanded Att w^{ch} said Eleaventh day of June the said Robert Neale appeared and Moved licence to imparle till the Eleaventh day of october following, Att w^{ch} said Eleaventh day of Octob^r aforesaid Came the said William Smith by Henry Bonner his Attorney before the Justices of the said Court and declared against the said Robert Neale for and Upon the bill or writeing obligatory aforesaid, and the s^d Robt then and there Came also by Nehemiah Blakiston his Attorney, and the said Robert sayd nothing in barr of the accon of the aforesaid W^m Smith Whereby the said William Smith Remained against the said Robert thereof wholly Undefended, Therefore It was Considered by the Court here that is to say att the City of S^t Maryes That the said William Smith Recover ag^t the said Robert Neale aswell the sume of Two thousand Six hundred pounds of Tobacco debt as also ffive hundred forty ffoure pounds of Tobacco Costs of Suite, and the debt in mercy &c: Whereupon the said W^m Smith Upon the Seaventeenth day of October in the said Yeare of our Lord 1678 did prosecute out of the said Court before the Justices there another writt to the said Sheriffe of S^t Maryes County directed, By w^{ch} Said writt his Lopp had also Comanded the said Sheriffe that hee should take the said Robert Neale if hee should bee found in his Baliwick and him Safe Keepe Soe that hee should have his body before his Lo^{pps} Justices of the said Court to bee held at the City of S^t Maryes the ffifth day of March then Next Ensueing to

p. 251 satisfy unto the Said William Smith the Sume of Two Thousand Six hundred pounds of Tobacco being a certaine debt Recovered against him before the said Justices the Eleaventh day of October aforesaid Whereof hee was Convict, Together wth ffive hundred forty and ffoure pounds of Tobacco pounds of Tobacco & Casq for Costs of Suite in that behalfe Expended, and thereof hee was not to faile att his pill and that hee had there the said writt, W^{ch} Said writt afterwards and before the Returne of the Same writt (that is to Say) the ffoure & Twentyeth day of October in the Said yeare of our Lord 1678 Att Bushwood in st Maryes County aforesaid unto the said Gerrard Slye being then Sheriffe of the said County of S^t Maryes delivered in forme of Law to bee Executed By reason of w^{ch} Said writt the said Gerrard Slye then Sheriffe of the sd County Afterwards that is to Say the ffive and Twentyeth day of Octob^r aforesaid the said Robert Neale for the Cause aforesaid Did take & arrest and him the said Robert Neale under his Custody then and there had and Kept & the said Robert Neale und^r the Custody of the said Gerrard Slye for the cause aforesaid in forme aforesaid being. the said Gerrard Slye afterwards that is to Say the first day of March in the said yeare of our Lord 1678 then being Sheriffe of

the said County of St Maryes County Att Bushwood aforesaid the Liber W. C.
 said Robert Neale out of his Custody and Contrary to the will &
 wthout the Lycence of the said William Smith the said William
 Smith of his said debt of Two thousand Six hundred pounds of
 Tobacco and five hundred forty foure pounds of tobacco costs not
 being Satisfyed, Did suffer freely to goe at large whether hee
 would, to the manifest danger of the looseing of the debt aforesaid,
 for that hee doth Lurke and wander in places to the said William
 Smith Unknowne, Soe that the said William his debt and Costs
 aforesaid Cannot Leavy and Recover, **Whereupon** hee sayth hee
 is the worse and hath dammage to the Vallue of Six thousand
 pounds of Tobacco And thereupon hee bringeth his Suite

And the said Gerrard by Robert Ridgely his Attorney cometh
 and defendeth the force and Injury when &c and prayeth Liberty to
 imparle hereunto untill next Prov^l Court and It is granted unto him
 the same day is given to the plantiffe Likewise

Now here att this day to witt the thirtyeth day of November in
 the fifth yeare of the dominion of the Right hono^{ble} Charles Lord
 Baltemore &c Annoq Doni 1680 Came the said partyes by their At-
 torneys aforesaid, & the said Gerrard by his said Attorney sayth
 That hee is in noe wise guilty of the p^rmisses above imposed upon
 him in manner & forme as the said William above in his declara^{con}
 against him hath Complained and of this hee puts himself upon y^e
 Country and the plantiffe also. It is therefore Comanded the Sher-
 iffe of St Maryes County that hee Cause to Come here Twelve &c
 by whome &c & who Neither &c To Recognize &c because aswell &c

On w^{ch} said thirtyeth day of Novemb^r in the yeare aforesaid came
 the said pytes by their Attorneys aforesaid, and the Juro^{rs} impan-
 nelled being Called likewise came (To witt) Thomas Pattison John
 Smith, W^m Watts, W^m Smithson John Martindale, James Pencoate,
 James Derumple, John Hartwell, Thomas Beale, Thomas Cockes
 Tho Simpson & Jacob Loockerman who being Elected tryed and p. 252
 Sworne to say the truth in the p^rmisses. Upon their oathes doe Say
 That the said Gerrard Slye is guilty of the p^rmisses above imposed
 Upon him Therefore Itt is Considered that the said W^m Smith Re-
 cover against the said Gerrard Slye the Sume of three thousand one
 hundred forty foure pounds of tobacco damages by the Juro^{rs} afore-
 said in forme aforesaid assessed, as also one thousand ffifty Two
 pounds of Tobacco costs of Suite, & the deft in Mercy &c

Gerrard Slye	}	Jn ^o Paler late of the County of St Maryes otherwise Called John Paler of St Maryes County plant ^r was Sumoned to answ ^r unto Gerrard Slye of a plea that hee Rend ^r unto him the full & Just sume of one thou- sand ffive hundred eighty nine pounds of bright Marchantable To- bacco and Casq w ^{ch} to him hee oweth and Unjustly detaineth
ag ^t		
Jn ^o Paler	}	

Liber W. C. And whereupon the said Gerrard by Robert Ridgely his Attorney Saith That Whereas the said John Paler the Eighteenth day of Aprill 1679 by his Certaine bill or writeing obligatory sealed wth the seale of him the said John and here in Court pduced whose date is the day and Yeare aforesaid Did acknowledge himself to bee holden & firmly bound unto the said Gerrard in the full & Just sume of one thousand five hundred Eighty and nine pounds of bright Marchantable Tobacco & Casq To bee paid unto the aforesaid Gerrard his heires Ex^{rs} Adm^{rs} or assignes on all Demands after the first day of Octob^r then next Ensueing the date of the said bill or Writeing obligatory, out of his owne Cropp Upon S^t Clements Manno^r, ffor w^{ch} payment well & truely to bee made and done the said John Paler did binde himself his Ex^{rs} and Adm^{rs} firmly by those p^rsents, Notwithstanding w^{ch} the s^d John the said Sume of One thousand five hundred Eighty nine pounds of Tobacco to him the Said Gerrard according to the Teno^r of the said writeing obligat^ry hath not paid although often demanded, but the same to pay hath denyed and as yet doth denye to the damage of the said Gerrard three thousand pounds of Tobacco, & thereupon hee bringeth his Suite

And the said John by Robert Carvile his Attorney Cometh and defendeth the force & Injury when &c & prayeth liberty to Imparle hereunto untill next Provinciaall Court & It is granted unto him the same day is given to the plt also :

At w^{ch} said next Provinciaall Court Came the said partyes by their Attorneys aforesaid, and the said John Paler by his said Attorney sayth that hee by any thing in the writeing aforesaid Contained ought not to bee burthened ffor that hee saith the said bill or writeing obligatory in the Declaracon aforesaid Mentioned is Not the Act and deed of him the s^d John & of this hee puts himself upon the Country, Whereupon day is given to both partyes untill next Provinciaall Court

p. 253 And Now here att this day to witt the Nine & Twentyeth day of Novemb^r in the ffifth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dom 1680 Cometh aswell the said Plantiffe as the said deft by their Attorneys aforesaid, and the said deft by his Said Attorney Sayth that hee is not informed by the Said deft of any answer of him to the p^lts accon to bee given & nothing else sayth thereupon. By w^{ch} the aforesaid plt Remaineth against the said deft thereof wholly undefended, Therefore It is Considered that the Said Gerrard Slye Recov^r against the said John Paler aswell the afores^d sume of one thousand five hundred Eighty nine pounds of tobacco debt as also ffive hundred seventy two pounds of Tobacco Costs of suite & the Deft in Mercy &c.

Richard Shippey ag ^t Gerrard Slye	}	Gerrard Slye late of S ^t Maryes County gent ^l was attached to answe ^r unto Richard Shippey of a plea of Trespas Upon the case.	Liber W. C.
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And Whereupon the said Richard by Henry Bonner his Attorney Complaineth that Whereas the said Richard Shippey Entred a certaine ac^on in the Moneth of Novemb^r 1679 at a Court held at Newtowne in S^t Maryes County ag^t the aforesaid Gerrard Slye for the Sume of Eighteene hundred pounds of Tobacco w^{ch} to the said Richard hee Stood indebted, and in Considera^on that the said Richard would then withdraw his ac^on ag^t the said Gerrard Slye as afores^d Entred, hee the said Gerrard upon himself assumed & then and there did faithfully promise that the said Sume of Eighteene hundred pounds of tobacco wth the charges Upon the aforesaid ac^on accruing (to witt) one hundred & Twenty pounds of Tobacco, w^{ch} wth the sume aforesaid amounts to Nineteene hundred & Twenty pounds of Tobacco hee the said Gerrard Slye would when thereunto required well & truely Content & pay unto the said Richd Shippey, And the said Richard Shippey in fact Sayth that giving Credit to the pmise & Assumption of the said Gerrard Slye, his aforesaid ac^on against the same Gerrard at Newtowne Court as aforesaid did then & there withdraw Nevertheless the said Gerrard Slye his pmise & assumption aforesaid little Regarding but minding and intending him the said Richard Shippey of the said sume of Nineteen hundred & twenty pounds of Tobacco craftily to deceive & defraud, the said Nineteen hundred and twenty pounds of Tobacco to the said Richard Shippey according to his pmise & assumption aforesaid Although often thereunto required hath not paid, but the same to him to pay hath hitherto refused and doth yet refuse To the Damage of the said Rich^d Shippey ffoure thousand pounds of Tobacco And thereupon hee bringeth his suite

And the said Gerard by Robert Ridgely his Attorney Cometh and Defendeth the force & Injury when &c & prayeth Liberty to imparle hereunto untill next Provincia^ll Court & It is granted unto him the Same day is given to both parties,

Att w^{ch} said Next Provincia^ll Court Came the said ptyes by their Attorneys aforesaid, & the said Gerrard by his said Attorney sayth p. 254 that hee did not assume & promise in manner & forme as the said Richard in his Declara^on above against him hath Complained & of this he puts himself Upon the Country Whereupon day is given to both parties untill next Provincia^ll Court

And Now here att this day to witt the thirtyeth day of January Novemb^r in the ~~fifth~~ sixth year of the dominion of the Rtt hono^{ble} Charles Lord Baltemore &c Annoq Dom 1680 Came the said ptyes by their Attorneys aforesaid & the said plantiffe refuseth to make any further psecu^on against the said deft in the plea aforesaid, Therefore It is Considered that the said Richard Shippey take

Liber W. C. nothing by his writt but bee in Mercy for his false Claime thereupon & the said Gerrard Slye may goe thereof wthout Day, & that the said Gerrard Slye Recover ag^t the said Richard Shippey the sume of Seaven hundred and tenn pounds of Tobacco for his Costs of suite by him about his defence in this behalfe Layd out & Expended, & the said Gerrard Slye may have thereof Execu^{con}

Francis Billingsly }
 ag^t } in Ejectm^t) Walter Carr late of Ann Arrundell
 Walter Carr } County plant^r was Attached to answer
 unto ffrancis Billingsly plant^r of a plea
 wherefore wth force and Armes into one parcell of land Called Pascalls Chance Lyeing in Ann Arrundell County and on the South Side of the land formerly layd out for Alexand^r Goarden & then in the posession of John Owen, Begining at a marked Poplar being the Uppermost bounded tree of the west line of the said Goardens Land, & bounded on the west by a Line drawn South from the said Poplar for the breadth of one hundred and fifty perches to a marked Pokiccory tree, on the south by a line Drawne East from the said Pokiccory tree for the Length of three hundred and twenty perches to a marked oake on the west side of a Creeke called Gotts Creeke, On the east by a line Drawne North up the said Creeke for breadth of One hundred & ffifty perches to a marked white oake in a Swampe, on the north by a line drawne West from the Said oake for the length of three hundred & Twenty perches unto the first marked Popler Cont^a Three hundred acres More or lesse, Together also wth one tenem^t or dwelling house & other outhouses Edifices buildings gardens Orchards & other appurtenances to the said Land belonging w^{ch} James Pascall of the County of Ann Arrundell planter to him the Said ffrancis Billingsley for a terme of yeares Yet to Come & Unexpired had Demised, Hee Entred & him the Said ffrancis Billingsley from his farme aforesaid Did Eject & other harmes to him did to the great damage of him the said ffrancis Billingsley & against his Lopps peace &c

p. 255

And whereupon the said ffrancis Billingsley by George Parker his Attorney sayth that Whereas the said James Pascall Upon the foure & Twentyeth day of June in the fifth yeare of the Dominion of the Right hono^{ble} Charles absolute Lord and Prop^{ty} of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c in the yeare of our Lord god 1680, Att Ann Arrundell aforesaid did Demise unto the sd ffrancis Billingsley one pcell of Land Called Pascalls Chance Lyeing in Ann Arrundell County & on the South side of the land formerly laid out for Alexand^r Goarden & then in the posession of John Owen. Begining att a marked Poplar being the uppermost bounded tree of the west line of the said Goardens Land, & bounded on the West by a line drawne South from the said

poplar for the breadth of one hundred & fifty perches to a marked Pokiccorry tree. On the South by a line drawne east from the said Pokiccorry for the Length of three hundred & twenty perches to a marked oake on the West side of a Creek Called Gotts Creeke, on the east by a line drawne north Up the Said Creeke for the breadth of one hundred and fifty pches to a marked White oake in a Swampe, On the North by a line drawne West from the said oake for the length of three hundred and Twenty pches unto the first marked Poplar Containing Three hundred Acres more or lesse Together wth one Tenement or dwelling house & other out houses edifices & buildings Yards Gardens Orchards & other appurtenances to the said Land belonging. To have & to hold the said Tenement or dwelling house Land and p^rmisses to him the said ffrancis Billingsley and his assignes from the s^d ffoure and Twentyeth day of June aforesaid for and dureing and untill the full End and terme of three yeares from thence next Ensueing and fully to bee Compleate and ended, By vertue of w^{ch} said Demise the said ffrancis Billingsley unto the said Tenem^t or dwelling house Land & p^rmisses wth the appurtenances Entred. & was thereof posessed, & being soe thereof posessed the said Walter Carr afterwards that is to Say Upon the Tenth day of July in the yeare of our Lord God 1680 unto the said Tenem^t or dwelling house Lands & p^rmisses aforesaid wth their Appurtenances w^{ch} the s^d James Pascall to him the said ffrancis Billingsley in forme aforesaid had demised for a Terme w^{ch} is not yet past, Entred, & him the said ffrancis Billingsley from his ffarme aforesaid did Eject & other harmes to him did to the great damage of him the said ffrancis Billingsley and against the peace &c^a Whereupon hee sayth hee is damnified and hath Lossess to the Vallue of forty thousand pounds of Tobacco, & thereupon hee brings his suite

Unlesse the Tennant in posession or they und^r whome hee Claimeth doe the next Provinciaall Court appeare to this Declaracon, & make him & themselves defts thereunto, & by Rule of Court Confesse the afores^d Entry & Ejectm^t & insist onely Upon the Title, the deft in this Declaracon will confes Judgm^t. & posession will bee delivered accordingly to the plt

To Edmond Cotton Tennant of the p^rmisses Above Menconed Robert ffrancklin gentl high sheriffe of Ann Arrundell County maketh oath before mee Thomas Taylor Esq^r one of his Lops Councell that hee served a Declaracon of Ejectm^t Upon Edmond Cotton Upon y^e one & Twentyeth day of Septemb^r 1680, Hee being then Tennant in posession to a parcell of Land Containing three hundred Acres Lyeing in Ann Arrundell County aforesaid ffrancis Billingsley Lessee Walter Carr Casuall Ejecto^r In Testimony whereof I have hereunto Subscribed my Name this Eighth day of Novemb^r Annoq Dominij 1680

Jur Coram me Tho Tailler

Rob^t Francklin sher.

Liber W. C.

p. 256

Liber W. C. Nov^r 9th 1680

Now here at this day to witt the thirtyeth day of Novemb^r in the fifth yeare of the dominion of the R^t hono^{ble} Charles Lord Baltimore &c Anno^q Dom 1680. the said accon being solemnly called & noe pson appeareing to defend y^e p^rmisses

Whereupon the said ffrancis Billingsley by George Parker his Attorney aforesaid in the behalfe of the Lesso^r James Pascall prayed that Judgm^t might bee Awarded by default & also his Lo^{pps} writt to Cause him to have possession of the p^rmisses. And It is granted unto him accordingly

Jn ^o Lamarre	} George Godfrey late of Charles County was at-	
ag ^t		tached to answer unto John Lemarre of a plea
George Godfrey		of Trespas

And Whereupon the said John by Robert Carville his Attorney sayeth that Whereas the said George Upon the Twentyeth day of November in the yeare of our Lord 1679 Att Portobacco Creeke in Charles County in the said Province with force & Armes the Close of him the said John did breake & three Trees then and there growing of his the said John Did fell Cutt downe & Carry away to the Vallue of fifteen hundred pounds of Tobacco, & other harmes to him did to the Damage of the said John & against the Peace **Whereupon** hee sayth he is damnified & hath Losse to the Vallue of three thousand pounds of Tobacco & thereupon hee bringeth his suite

And the said George Godfrey by Robert Ridgely his Attorney Cometh & defendeth the force and Injury when &c and prayeth liberty to imparle hereunto untill next Prov^l Court & It is granted unto him the same day is given to the plt also:

Att w^{ch} said next Provinciall Court Came the said partyes by their Attorneys aforesaid & the said George George Godfrey by his said
 p. 257 Attorney sayth that of the Trespasse above by the p^{lt} Imposed upon him hee is in nothing thereof guilty in Manner and forme as the said p^{lt} above against him hath Complained and of this hee puts himself Upon y^e Country

Whereupon this Court pceiveing it Very Necessary the better to find out by whome the Trespasse aforesaid is Committed, that the plantiffes Land be Surveyed and Laid out by some Skilfull pson according to the Meets & bounds Menconed in the Pattent & that a faire Plott and Certificate thereof bee returned unto the Next Provinciall Court Did thereupon Order that Randolph Brandt, Gentl bee and is Especially appointed Impowered & Comanded to Lay out the afor^d pcell of Land of the aforesaid John Lemarre Lyeing on the West side of S^t Thomas's Creeke in Charles County aforesaid according to the ancient meets & bounds thereof in the p^rsence of William Chandler Sheriffe of the County aforesaid Who

is hereby Comanded and Impowered to sumon & Impannell a Jury of Twelve good Lawfull & honest men of the Neighbourhood to goe Upon the Said Land & to Sumon and Examine Witnesses Upon oath that the truth of the matter may be fully Discovered, W^{ch} being done the Juro^{rs} aforesaid are dilligently to Enquire by Whome the Trespasse aforesaid is Comitted, and what Damage the plt on whome the Trespasse aforesd (if any shall bee found to bee Comitted) hath Sustained by occasion thereof, and of the ffellony Cutting downe and Carrying away the Trees afores^d & to returne a Certificate of his proceedings herein and a ffaire plott of the plts Land to the Next Provincially Court to bee held att the City of S^t Maryes the ffifth day of October next & Attested aswell under the hand & Seale of the said Randolph Brand^t as of the Sheriffe and Juro^{rs} aforesaid that his Lopps Justices being fully Informed of the Truth of the p^rmisses may doe therein as to Justice shall appertaine & thereupon day is Given unto both partyes untill Next Prov^l Court

Liber W. C.

And Now here att this day to witt the thirtyeth Day of November in the ffifth Year of the Dominion of the Right hono^{ble} Charles Lord Baltmore &c Annoq^{ue} Domini 1680 Came the said partyes by their Attorneys aforesaid, & the said Surveyo^r Made Returne of the Inquisi^{ti}on aforesaid w^{ch} ffollowes in these Words: Viz

An Inquisi^{ti}on Indented taken in Charles County at Portobacco Creeke the ffifteenth day of September in the ffifth year of the Dominion of the Right hono^{ble} Charles absolute Lord and Prop^r of the Provinces of Maryland & Avalon Lord Baron of Baltmore &c. & in the year of our Lord 1680 before M^r W^m Chandler Sheriffe of the County aforesaid. By verture of an ord^r of a Provincially Court held att the City of S^t Maryes on y^e fourteenth day of May last past to see Capt Rand^o Brandt Lay out a parcell of Land belonging to John Lemarre Lyeing on the West side of Portobacco or S^t Thomas's Creeke in Charles County aforesaid according to the antient meets and bounds thereof, & Also by the oathes of Henry Hawkins Garret Sinnet, John Godshall William Wells, John Clarke, Ralph Shaw Robert Middleton, James Smallwood, Robert Thompson, Thomas Coates James Littlepage, & Edmond Dennis to Enquire what Trespasse George Godfrey hath Comitted by ffalling Cutting Downe and Carrying away Three Timber Trees of the Land of the aforesaid John Lamarre W^{ch} Juro^{rs} aforesaid Upon their oathes doe say, That in the p^rsence of the Sheriffe aforesaid they have Seene the aforesaid Capt Rand^o Brandt lay out the Land aforesaid according to the antient Meetes & bounds thereof the place Where the begining bound Tree Did formerly Stand being proved by the oathes of Archibold Wahob & William Love, & also the second bounds being proved by the oath of the Aforesaid Archibold Wahob. W^{ch} said Survey of the parcell of Land aforesaid doth begin as ffolloweth. Begining att a swampe where formerly an Ash did Stand that

p. 258

Liber W. C. that was the antient bounds of the aforesaid parcell of Land the place being proved as aforesaid Runing thence South West Westerly for the breadth of Seaventy pches to a Marked Stake standing in a Marsh, thence North West three hundred and Twenty pches, to a Marked White oake, thence North East Seaventy pches to a Marked oake Standing by a Gum being the Nearest tree that Wee could find to bound, & from the end of the northeast Line runing Southeast to the said Swampe Where the Ash being the Antient bounds did formerly stand being proved as aforesaid from Whence first Wee tooke our Departure, and further Wee Juro^{rs} aforesaid Upon our oathes did Say That Wee finde that about September 1679 George Godfrey did fell Cutt downe & Carry away by his owne Confession three Trees standing within the Line of the Land of the aforesaid John Lemarre according to the Survey Now made by Capt Randolph Brandt, and further Wee finde that the afores^d John Lemarre is Damnified the sume of fifty pounds of Tobacco, one of the said Trees being dead and the other Two being soe bad that most part of them Could not bee made use of by the aforesaid George Godfrey In Witnesse Whereof the Sheriffe wth the Surveyo^r aswell as the Juro^{rs} have hereunto Set there hands & Seales the day & Yeare first above Written

W^m Chandler sher (sealed)

Rand^o Brandt (sealed)

Henry Hawkins (sealed)	Robert Middleton (sealed)
Garret sinnet (sealed)	James Smallwood (sealed)
Jn ^o Godshall (sealed)	Rob ^t Thompson (sealed)
W ^m Wells (sealed)	Thomas Coates (sealed)
Jn ^o Clarke (sealed)	James Littlepage (sealed)
Ralph Shaw (sealed)	Edmond Dennis (sealed)

p. 259 Which being Read & heard & Robert Carvile Attorney for the p^{lt} and Robert Ridgely Attorney for the debt being p^rsent in Court Itt is Considered that the said John Lemarre Doe Recover against the said George Godfrey the Sume of fifty pounds of Tobacco damages by the Juro^{rs} aforesaid in forme afores^d Assessed and also Three thousand six hundrd fifty two pounds of Tobacco Costs of Suite & the Said John Lamarre may have thereof Execution &c.

Kenelm Cheseldyn } Stephen Murtey late of S^t Maryes County was
ag^t } attached to answere unto Kenelm Cheseldyn one
Stephen Murtey } of the Attorneys of this Court & Upon an At-
tachm^t of priviledge Upon an Ac^con Upon the
case :

And Whereupon the said Kenelm in his prop pson Complaineth y^t Whereas the said Stephen the Eleaventh day of ffebruary in the

yeare of our Lord 1679 in Consideracon that the said Kenelm at the Special Instance and request of the said Stephen (being then sued in the Provinciaall Court of this Province Upon an Accon of the case by one John Anderson of this Province) would appeare for him the said Stephen in the said accon against him the said John & him the said Stephen to the best of his Skill and Knowledge in the Lawe against the same John in the same Suite defend, the said Stephen did assume Upon himself and to the Said Kenelm did ffaithfully promise That hee the said Stephen to him the said Kenelm as Attorneys ffees for the same when required would Well & truly Content & pay the sume of foure hundred pounds of Tobacco, & the said Kenelm in fact Saith that hee did appeare for the said Stephen in the said Provinciaall Court against the said John Anderson in the suite aforesaid, & the said Stephen in the said suite according to the best of his skill and Knowledge in the Law did defend. Notwithstanding w^{ch} the said Stephen the said Sume of ffoure hundred pounds of Tobacco to him the said Kenelm hath not payd though often thereunto required. but the same to him to pay hitherto hath and Still denyes to pay to the Damage of him the said Kenelme the sume of One thousand pounds of Tobacco, & thereupon hee bringeth his Suite

And the said Stephen by Robert Carvile his Attorney Cometh and defendeth the force & Injury When &c and prayeth Liberty to imparle hereunto untill next Provinciaall Court and It is granted unto him the same day is given to the plt Likewise

Now here at this day to Witt the Nine and Twentyeth day of Novemb^r in the fifth Yeare of the Dominion of the right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 Came the said Kenelm in his prop pson as afores^d and offered himselfe against the said Stephen in the plea aforesaid but the said Stephen Came not but made default Therefore Itt is Considered that the said Kenelm Cheseldyn Recover against the said Stephen Murtey aswell the aforesaid sume of ffoure hundred pounds of Tobacco debt as also ffive hundred Eighty foure pounds of Tobacco Costs of suite. & the said Kenelm may have thereof Execution

Henry Hooper } John Merriday late of Dorchest^r County planter
ag^t } was attached to answere unto Henry Hooper of a
John Merriday } plea wherefore wth force & Armes one Messuage
and three hundred Acres of Land in Dorchest^r
County aforesaid called Travers his Lott Scituate lyeing and being on the east side of Chesapeake bay in a Creeke Called Chicchamoco otherwise Phillips Creeke on the North side of the said Creeke. Begining att a marked Pokiccory Upon the pointe of the deviding of the Creek and runing North West Upon the North branch of the said Creeke one hundred and ffifty pches Unto a marked White oake,

Liber W. C.

p. 260

Liber W. C. wth a Line drawn South south West for Length into the woods three hundred pches Bounding upon the south West wth a line drawne South east One hundred and fifty perches to a Creeke, bounding on the northeast wth the Creek untill it Intersect the first bounded tree, w^{ch} William Traverse did demise to the said Henry for a terme not yet Expired. hee the said John Merreday Entred and him the said Henry from his ffarme aforesaid did Eject and other Enormities to him did doe to the greate Damage of him the said Henry and against the peace of the Right hono^{ble} the Lord Prop^{ty}

And Whereupon the Said Henry by Christopher Rousby his Attorney Complaineth that Whereas the said William Travers the ninth day of June in the Yeare of our Lord 1679 in Dorchest^r County aforesaid Did demise unto the said Henry Hooper the said Tenements Lands and p^rmisses wth the appurtenances To hold to him the said Henry and his assignes from the feast of the Anuntia^{cion} of the Blessed Virgin Mary then last past unto the End and Terme of ffoure Yeares from thence Next ffollowing fully to bee Compleate and ended, By vertue of w^{ch} said Demise the said Henry unto the said Tenem^{ts} Lands and p^rmisses did Enter and was thereof possessed, & being thereof soe possessed Afterwards (to witt) the
 p. 261 first day of Octob^r in the Yeare of our Lord 1679 the said John Merriday into the Tenem^t Lands & p^rmisses aforesaid wth the appurtenances w^{ch} the said William in forme aforesaid had demised for a Terme w^{ch} is not yet past did Enter and him from his ffarme afores^d Did Eject and other Enormities to him did doe to the greate damage of the Said Henry and against the Peace of the Right Hono^{ble} the Lord Prop^{ty} And Whereupon hee Sayth hee is the Worse and hath Losse to the vallue of Tenn thousand pounds of Tobacco and thereupon hee brings his suite

Unlesse the Tennant in posession or they under whome hee Claimes doe the Next Provinciaall Court doe the Next Provinciaall Court appeare to this Declaracon & make him or themselves defts thereunto and by Rule of Court Confesse the Lease Entry and Ejectm^t and insist onely Upon the Title the deft in this Declaracon Will Confesse Judgm^t and Posession will bee delivered accordingly to the Plantiffe.

To William Reade, Tennant in posession of the p^rmisses w^{thin} men^{cioned} the true Coppy of the within Menconed Declara^{cion} was Served Upon W^m Read by mee Timothy Macknemarra by delivering the same Coppy to the said William Reade the ffifth of Novemb^r last being in the yeare 1680

Sworne before mee y^e 24th day of

Timothy M^cenmarra

November 1680

Philip Calvert

Now here att this day to witt the Thirtyeth day of Novemb^r in the ffifth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq^{ue} Dominj 1680 said ac^{con} being solemnly called and Noe pson apping to defend the p^rmisses. **Whereupon** the said

Henry Hooper by Christopher Rousby his Attorney aforesaid in the Behalfe of the Lessor William Traverse prayed that Judgment might bee Awarded by default. & also his Lopps writt to Cause him to have posession of the p^rmisses & It is granted unto him accordingly

Liber W. C.

Robert Proctor } Memorandum that att a Provinciaall Court att the
ag^t } City of S^t Maryes the Eleaventh day of May in
W^m Burges: } the fifth yeare of the dominion of Charles absolute
Lord and Prop^r of the Provinces of Maryland
and Avalon Lord Baron of Baltemore &c. Annoq^{ue} Domini 1680
Before his Lopps Justices of the Provinciaall Court Came Robert
Proctor of Ann Arrundell County by Rob^t Ridgely his Attorney
and Exhibiteth to the Court here a certaine transcript of the Record
of Ann Arrundell County in a Cause lately there depending betweene
Coff William Burges plt and the sd Robert Procto^r def^t of a plea
that hee Rend^r to him the sume of One thousand nine hundred
Eighty ffoure pounds of good sound Marchantable Tobacco and
Casq^{ue} w^{ch} hee detaineth, The Teno^r of w^{ch} Record followeth in these
Words

p. 262

Att a County Court of the Right hono^{ble} Charles &c held att the
Ridge in Ann Arrundell County in the Ninth day of March in the
ffourth yeare of his Lopps Dominion &c^a Annoq^{ue} Domini 1679/80
before his Lopps Justices thereunto Assigned

Present Comission ^{rs} :	{	Collon ^{ll} W ^m Burges	{	Henry Stocket	} Gent ^l
		Majo ^r Jn ^o Welsh		John Sollers	
		Cap ^t Thomas ffrancis		Edward Burges	

Collon^{ll} W^m Burges p^{lt} } It was Comanded the Sheriffe of Ann Ar-
ag^t } rund^{ll} County that hee have the body of
Robert Procto^r Def^t } Robert Procto^r of the same County Inn-
hold^r before the Justices of his Lopps Court
in the said County to bee holden on the ffoure and Twentyeth day
of ffebruary Annoq^{ue} Domⁱ 1679 to answere unto William Burges
Adm^r of the goods & Chattles of William Jones Phisitian deceased
intestate of a plea that hee Rend^r to him the sume One thousand
Nine hundred Eighty ffoure pounds of good sound Marchantable
Tobacco & Casq^{ue} w^{ch} hee Detaineth:

Att w^{ch} day to witt the ffoure & Twentyeth day of ffebruary afore-
said came the said Sheriffe and Returnes to the Court here that hee
hath taken the said Robert Procto^r whose body hee hath att the day
and place as the writt Requires

Ordered that the said Cause bee Continued till the Next Court to bee
held on the Ninth day of March next Ensueing the 24th of ffebruary
aforesaid

Liber W. C. And the same day to witt the Ninth day of March aforesaid Came the aforesaid Collon^{ll} William Burges by Henry Hanslop his Attorney and offered himself against the Said Robert Procto^r of and Upon the p^rmisses And the Said Robert Came likewise by George Parker his Attorney Whereupon the plts Declara^on Was Read as ffolloweth Viz

Ann Arrund^{ll} County ss:

Robert Procto^r late of Ann Arrund^{ll} County Innhold^r was summoned to answere unto William Burges Adm^r of the goods Chattles Rights and Credits w^{ch} were of William Jones phisi^on Who dyed intestate of a plea that hee Render unto him the sume of One thousand Nine hundred Eighty and ffoure pounds of good Sound Marchantable Tobacco & Casq W^{ch} hee Detaineth &c

p. 263 And Whereupon the said William Burges by Henry Hanslop his Attorney Complaineth That Whereas the said Robert the 27th day of Aprill Annoq Domini 1676 by his Certaine bill obligatory Sealed wth the seale of the said Robert whose date is the day and Yeare first above written, and here in Court produced) Did acknowledge himself to bee firmly bound and indebted unto William Jones of the aforesaid County & Province Phisitian in the full and Just Sume and Quantity of one thousand Nine hundred Eighty and ffoure pounds of good Sound Marchantable Tobacco and Casq, the w^{ch} sume or Quantity of Tobacco well and Truly to bee paid Did binde himself his heires or Assignes unto the said William Jones his heirs or assignes firmly by these p^rsents Notwithstanding w^{ch} the Said Robert the said sume of Nineteene hundred Eighty and ffoure pounds of Tobacco to the said William Jones in his life time did not pay nor to the said William Burges unto whome Lett^{rs} of Administracon of the goods Chattles rights and Credits of the s^d William Jones were granted, although often thereunto required & demanded, but the same to pay doth altogether denye and refuse, Whereupon the Said William Burges Sayth hee is the worse and hath Damage to the vallue of ffoure thousand pounds of Tobacco, and thereupon bringeth his suite

	pledges de pser:	John Doe } Richd Roe }	Hen Hanslap p que
Collon ^{ll} W ^m Burges Adm ^r of the goods & Chattles of W ^m Jones dec ^d plt Robert Procto ^r Deft			}plea

And the said Robert Procto^r by George Parker his Attorney Cometh and defendeth the force and Injury when &c^a and sayth that the afores^d Collon^{ll} William Burges ought not to have his ac^on aforesaid against him the said Robert Procto^r because hee saith that

the aforesaid sume of one thousand Nine hundred Eighty ffoure pounds of Tobacco mentioned in the said plantiffes Declaracon was paid and Satisfyed by the said Robert unto the said William Jones in the life time of the said William and this hee is Ready to averre. **Whereupon** hee demands Judgm^t Whether the aforesaid Collon^l William Burges ought to have his accon against him

Liber W. C.

George: Parker

And the p^lt sayes that by any thing alleadged above hee ought not to be debarred of his accon, and of this hee puts himself Upon the ~~Country~~ Court

Henry Hanslap

Whereupon John Bird sumoned as an Evidence for the deft deposed as followeth John Bird aged about thirty Seaven yeares being Sworne & Examined in Court sayth that there was a Certaine agreement upon acco^{ts} betweene Docto^r Jones & Robert Procto^r, and that the said Jones disposed of a Certaine Neagro Man to the said Robert Procto^r, In Consideracon of w^{ch} Neagro the sd Proctor passed his specialty for Nineteene hundred eighty ffoure pounds of Tobacco, and this depon^t further Sayth that the said Jones Createing other acco^{ts} wth Robert Procto^r Amounting to above the said Sume of Nineteene hundred Eighty ffoure pounds of Tobacco hee then did Remaine when hee Came to an Acco^t betweene Seaven or Eight hundred in Robert Procto^{rs} debt, and did acknowledge that the bill ought to bee delivered in, and promised to deliv^r the same soone after, and further this Depon^t sayth not:

p. 264

Whereas W^m Burges Adm^r of the goods and Chattles of W^m Jones Phisitian deceased intestate was plt and Robert Procto^r deft in a plea of debt and the plt made it to appeare by a Certaine Specialty bearing date the seaven & Twentyeth day of Ap^l 1676, & owned by the defts plea Than the said deft stood Justly indebted to him as Adm^r of the said deceaseds Estate in the sume of Nineteen hundred Eighty ffoure pounds of Tobacco & Casq, And Whereas It doth not appeare by the oath of John Bird nor by any booke of acco^{ts} Either of p^lt or deft. that the Deft hath paid or satisfyed the above-said Specialty, It is Considered here that payment and Satisfaccon of the said debt of one thousand Nine hundred Eighty and ffoure pounds of Tobacco & Casq bee fforthwth made by the said Deft to the said Adm^r or his ord^r Together wth Costs and Court Charges a^{ls} Execucon

Memorand. that Majo^r John Welsh one of the Justices here above menconed did Request that his Disassent to the Judgm^t here Above might bee Entred on Record

And whereupon George Parker Attorney for the said Procto^r prayed an appeal from the Judgm^t aforesaid, and that the said Cause might Come before his Lopps Justices att his Provinciaall Court to bee held at the City of S^t Maryes on the Eleaventh day of May next Ensewing and that the Teno^r of the Record and pro-

Liber W. C. ceedings in the said Cause might bee sent to his Lopps Justices of the Provinciaall Court aforesaid to have inspeccon thereof. and to Rend^r Judgm^t thereon

Afterwards the said Appealant Together wth John Bird and Richard Warfeild his suretyes allowed of by this Court, came here and did acknowledge themselves to Stand indebted unto William Burges Adm^r of the goods and Chattles of William Jones Phisican decd intestate in the full or Just sume or Quantity of Three thousand
 p. 265 Nine hundred Sixty-Eight pounds of good Tob: and Casq to bee Leavyed on theire goods and Chattles Lands and Tenem^{ts} to the said William Burges's use, in case the said Robert Procto^r shall not prosecute wth Effect his said appeale, and in case Likewise that the said Procto^r shall not satisfy and pay (if the said Judgm^t bee Affirmed) all & singuler the debts damages and Costs Adjudged or to bee Adjudged Upon the Judgment aforesaid. Unlesse the said Robert Procto^r doe pay the same or Rend^r his body to Prisson

Vera Cop^a Examned by me: Ri: Boughton Clke

Know all men by these p^rsents that I Robert Procto^r of the County of Ann Arrund^l in the Province of Maryland Innhold^r. Doe owe & acknowledge my self to owe and Stand firmly bound and indebted unto William Jones of the aforesaid County and Province Phisitian the full & Just Sume or quantity of One thousand Nine hundred eighty foure pounds of good sound Marchantable Tobacco and Casq The w^{ch} sume or quantity of Tobacco well and Truely to bee made I binde mee my heires or assignes unto the said William Jones his heires or assignes firmly by these p^rsents, In witnesse whereof I doe hereunto sett my hand and seale the 27th day of Aprill 1676

signum

Rob^t *RP* Procto^r. (sealed)

Signed sealed & Delivered in y^e p^rsence of:

Rob^t Gillham: John Bird

Endorsement on the bill written in Docto^r Jones owne hand is as followeth Viz:

Rob^t Procto^{rs} bill for 1984^{li} Tobacco the 27th Ap^l 1676:
 100 for Druggs &c:

2084

Recd 335 by Hugh Riley
 500 by Tho: Roper
 150 by Mich^l Offly
 340 Expences

1325

Rests due: 759 April the 4th 1677

Vera Cop^a Ric: Boughton: Ct:

And the said William Burges by Robert Carville his Attorney Liber W. C.
Cometh and Defendeth the force and Injury when &c and Prayeth
Liberty to Imparle hereunto untill next prov^l Court and It is granted
unto him the same day is given unto the said Robert Procto^r Likewise

Now here at this day to witt the thirtyeth day of November in
the sixth ~~fifth~~ year of the Dominion of the R^t hono^{ble} Charles
Lord Baltemore &c Annoq³ Domini 1680 Came the said partyes
by their Attorneys aforesaid & the said William Burges by his
said Attorney sayth That the Record and proceedings in the said p. 266
Cause in the County Court of Ann Arrund^l County are in noe way
Erred, and hee prayes that this Court will proceed to the hearing
of the Record aforesaid as of the reasons of the said appeale

On w^{ch} said fourteenth day of Novemb^r aforesaid came the said
Robert Procto^r by his Attorney aforesaid, and according to act of
Assembly in that case made and provided Entituled an act for ap-
peales & Regulateng writts of Erro^r Offereth to the Court here his
reasons for his the said Roberts Appealeing from the Judgm^t of the
County Court of Ann Arrund^l County aforesaid, ffor that the Rec-
ord and pceedings before Recited are manifest Erronious in this:

(1st) In the Record Itt is sayd att a County Court of the R^t hono^{ble}
Charles &c Held Att the Ridge in Ann Arrund^l County on the ninth
day of March in the fourth year of his Lops dominion &c Annoq³
Domini 1679/80 &c Whereas if It bee the ninth of March 1679 It
was the fifth year of his Lopps dominion If the Ninth of March
1680 It is not yet Come W^{ch} for want of Laying a Certaine time
is Erro^r:

(2) Itt doth not appeare in the Record that the said William
Burges produced to the Court there his Letters of Adm^{on} of the
Estate of the said William Jones, by w^{ch} It might appeare to the
Court there that hee thereof had Adm^{ron} & soe Consequently became
Intituled to bring the ac^{con} aforesaid, and though this Erro^r after
Verdict is pticularly solved by the statute yet here being Noe Jury
nor verdict is apparent and Manifest Erro^r

(3) The Court gave Judgm^t for the debt Notwithstanding y^t
satisfaction was pleaded by the deft Upon the plts gen^l Replica^{con}
Notwithstanding It does not appeare by the Record that the deft did
put himself Upon their Judgment or make any Submission to them,
and Notwithstanding Bird the Evidence Swore in open Court That
Procto^r had satisfyed Jones in his life time the said debt and that
Jones did acknowledge that the bill ought to bee Delivered Up, and
was at his death in debt to Procto^r seaven or Eight hundred pound
of Tobacco all w^{ch} is Erro^r:

(4)—Had they both submitted and referred it to the Court, & such
issue had been Joyned, & y^e Court had thought fit not to beleive Birds
Testimony, Yet the Receipt of the backside of the bill for thirteene
hundred Twenty five pounds of Tobacco ought to have been Al-

p. 267 And hereupon the Record and proceedings aforesaid for the Rendring the Judgment thereupon. and the aforesaid Causes and Matters by the aforesaid plt for Error^s Assigned being seene and by the Justices here fully Understood and Dilligently Examined and for that It appeareth unto the same Justices that in the Record and pcesse aforesaid as also in the Rendring the Judgment aforesaid Itt is manifestly Erronious, Itt is therefore Considered that the aforesaid Judgment for the Error^s in the Record and Processe aforesaid bee Revoaked Adnulled & altogether held for Nothing, and that the aforesaid Robert Proctor unto all things which by occasion of the Judgment aforesaid hee hath lost bee Restored, and that the Said Robert Procto^r Recover against the said William Burges Adminis- trato^r as aforesaid the Sume of pounds of Tobacco for his Costs of suite in this behalfe Layd out and Expended

Lucom v[er]s[u]s } Garrat Vansweringen late of S^t Marys City
 Vansweringen } Inholder was Attached to answere unto John
 Lucom of London Marriner of a Plea of tres-
 pas vpon v^e Case.

And whereupon y^e s^d John Lucom by Robert Ridgely his Attorney Complaineth that whereas the s^d Garrat was indebted to the said John in y^e Sum^e of fifteen pounds Sterling And being so indebted the sd Garrat did the Eleaventh day of ffebruary one thousand six hundred Seaventy nine In Consideracon thereof draw one bill of Exchange according to y^e Custome of Merchants & signed wth the prop hand of the s^d Garrat and directed to one certaine Thomas Panton by the name of the Hon^oble Col^t Thomas Panton in London for the payment of y^e s^d fifteen pounds att ten dayes after sight of the Said bill of Exchange to y^e s^d John Lucom or his Order And the said Garrat Vansweringen Did then assume vpon himself & to the s^d John Lucom did ffaithfully pmise That if he the s^d Thomas Panton the s^d ffifteen pounds Sterling to him the s^d John or his Order did not well & truely pay according to the Tenor of y^e s^d Bill of Exchang that the s^d Garrat would well & truely pay the same when therevnto required And the said John in fact saith that on the thirteenth day of the month of May Anno Dm One thousand Six hundred & Eighty and in the five and thirtyeth year of the raigne of our Sou^raigne Lord Charles the Second of England Scotland ffrance and Ireland King Defend^r of y^e faith & Att y^e request of the said John Lucom Nicholas Hayward Notary & Tabellion Publick

dwelling in London by the authority of his said Majesty admitted and Sworn Speaking to y^e s^d Coll Thomas Panton att his house in y^e Hay Markett London demanded of him if he would now accept or pay when due the Origenall bill of Exchang of ffifteen pounds Sterling aforemenconed Whereupon the said Coll Thomas Panton aswered that he would neither accept or pay y^e s^d bill when due for want of Effects w^{ch} Answer y^e Said Notary having heard (att the request afd) had ptest^d & by those p^rsents did ptest as well ag^t the Said Garrat Vansweringen drawer or Subscriber of the s^d bill and ag^t all others in the Said bill any ways oblidge^d for all Costs damages & Intrests already suffered and susteined and hereafter to be Suffered and Susteined for want of acceptance and paym^t of the Said bill, all w^{ch} the said Notary because he was p^rsent and did see hear & know all the said things acted & done as they are before recited the day & year and places afd Did therefore to a certaine Instrum^t of Protest subscribe his name and put to his wonted & accustomed Seale being requested to Certifie & testifie y^e p^rmisses w^{ch} said Instrum^t of Protest is by y^e s^d John here in Court pduced Now the s^d Garrat Vansweringen little regarding his pmise and assumpon made as afd but plotting & fraudulently intending him the Said John to deceive & defraud of y^e s^d ffifteen pounds sterling the same ffifteen pounds Sterling to him the Said John hath not paid although often he hath been therevnto required but doth vtterly refuse to pay y^e same by w^{ch} the s^d John the whole pfitt gaines and advantage w^{ch} he wth y^e said ffifteen pounds if it had been paid to y^e S^d John (according to the pmise of the s^d Garrat in that behalfe made) by buying and selling and lawfully bargaining wth the same, might have had and gained is now totally Lost and deprived of: Wherevpon he Saith he is damnified & hath loss to y^e Value of Thirty pounds Sterling and therevpon he bringeth his Suit.

Liber W. C.
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Ridgely p Quer

Pledg de psc } Jn^o Doe
Ric Roe

And the said John bringeth here into Court as well the said bill of Exchange as y^e Instrum^t of Protest whereby y^e p^rmisses may the more sufficiently appear vnto y^e Court in manner & forme as is afd

Memorandum that this day to witt the twenty day of Jan^{ry} in y^e sixth yeare of y^e Dominion of Charles &c Annoq Dno 1680 before me Philip Calvert Esq^r Chancellor of this Province of Maryland and One of the Justices of the Pro^l Court att my house att y^e City of S^t Mary psonally appeared Garret Vansweringen above named in his pper pson and did Consent y^e judgm^t Should pass ag^t him for the said Sum^e of ffifteen pounds Sterling y^e debt afd as alsoe for the Sum^e of fower pounds & tenn Shillings Sterling for damages by the s^d John Lucom Susteined by reason of the non payment of

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Liber W. C. the debt af^d In all amounting to the sume of nineteen pounds tenn shillings Sterling as also for the Sume of five hundred & fifty pounds of Tobacco Costs of Suit in this behalfe Expended provided execucon of the Same Judgment doe cease vntill the tenth day of Aprill now next coming.

Taken and acknowledged before me
the day & year above said.

Philip Calvert

G. VSwearings

ffeb^{ry}: 16. 1680.

The aforegoing judgm^t was then
deliverd in open Court by the
Hon^{ble} Philip Calvert Esq^r Chan-
celour, unto

Nic: Painter Cl

Lewis Blangey & Mary	} Memorandum that this p ^r sent day to witt the fifteenth day of May in the yeare of our Lord 1680 Lewis Blangey and Mary his wife Ex ^{ix} of the Last will and Testament of Desborow Ben- net deceased, by Robert Carville their
his wife Ex ^{ix} of Desborow	
Bennet	
ag ^t	
Thomas Harris	} will and Testament of Desborow Ben- net deceased, by Robert Carville their

Attorney Exhibiteth to the Court here a Certaine transcript of the
Record of Kent County Court in a Cause lately there depending
betweene Thomas Harris & Susanna his wife plantiffes against the
said Lewis Blangey & Mary his wife defts, The Teno^r of w^{ch} Record
followeth in these words

Thomas Harris by M ^r Coursey p ^{lt}	} In a plea of Debt
ag ^t	
Lewis Blangey and Mary his wife	
Ex ^{ix} of Desborow Bennet defts	

These are in the Name of the Right hono^{ble} the Lord Prop^{ry} to
will and require yo^u to arrest the bodyes of Lewis Blangey and Mary
his wife Ex^{ix} of Desborow Bennet and them in safe custody Keepe
untill they Enter into bond with Sufficient Security to answeere the
suite of Thomas Harris and Susanna his wife in a plea of debt at
the Next Court to bee holden for this County on the fourth Tuesday
in August next there to Stay and abide Judgm^t of Court thereupon,
hereof faile not as you will answeere the Contrary at yo^r perill, &
then and there Returne this writt, and for soe doeing this shall bee
yo^r Warrant Given und^r my hand this two and Twentyeth of Au-
gust 1679

Vera Cop^a Elias King Cl:

To the sheriffe of Kent County or his Dep^{ty}

Entr: p Cha Bankes Cl

Att a Court holden for y^e County of Kent 26th August 1679

P ^r sent	M ^r Joseph Wickes	}	M ^r William Lawrence	}	Comiss ^{rs} :	Liber W. C.
	M ^r James Ringold		M ^r Nathan ^{ll} Evetts			
	M ^r Jn ^o Hinson		M ^r Cornelius Comegys			

Thomas Harris p M ^r Coursey p ^{lt}	}	The defts Craves an Imparliance	p. 270
&		w ^{ch} the Court doth grant	
Lewis Blangey & Mary his wife Ex ^x of Desborow Bennet defts		Vera Cop ^a Elias King Ct:	

Att a Court holden for the County of Kent March 23th 1679 Att the Towne of New Yarmouth

P ^r sent	Majo ^r James Ringold	}	}	Comission ^{rs} :
	M ^r Henry Hosier			
	M ^r Sam ^{ll} Tovey			
			M ^r John Hinson	
			M ^r William Laurence	
			M ^r Cornelius Comegys	

Thomas Harris p M ^r Coursey p ^{lt}	}	In a plea of debt
&		
Lewis Blangey & Mary his wife Ex ^x of Desborow Bennet defts.		

Kent ss: Lewis Blangey and Mary his wife Ex^{ix} of the last will & Testament of Desborow Bennet deceased were sumoned to answere Thomas Harris That they Rend^r unto the said Thomas & susanna his wife Two Two yeares old Heifers wth their Increase w^{ch} they the said Lewis and Mary Unjustly detain

Whereupon the said Thomas Harris by James Coursey his Attorney Sayth that Whereas the said Desborow Bennet in his life by Last will & Testament dated the 26th day of Ap^{ll} Annoq Domini 1676. Did give and bequeath unto the said Thomas Harris one Two Yeare old Heifer & unto his Sarvant Susanna Hortley now wife of the sd Thomas Harris one other Two yeare old heifer to bee delivered to them wthin six Monethes after his death, and the said Desborow dyed in January following & his said will proved in due forme of Lawe as by the sd will Remaining Upon Record may appeare, Neverthesse the said Lewis nor the said Mary the said Two Heifers to the said Thomas & Susanna hath not Delivered within the time Mentioned in the said will nor at any time since though often demanded To the damage of the said Thomas Harris

Liber W. C. Two thousand pounds of Tobacco, And thereupon hee brings his Suite

pledges. John Doe }
Richd Roe } Coursey p quer

Vera Copia: Elias King Ct

And the aforesaid Lewis Blangey by Benjamin Randall his Attorney Comes and defends the force & Injury when &c, and sayth that hee ought not to have his accon it being a Legacy and Noe Legacy ought to bee paid untill other debts are fully satisfied & payd. and this Averres to bee true. and puts himself upon the Country, Therefore Comand is Given &c—Benjamin Randall p deft } Vera Cop^a

The plt Likewise—James Coursey p plt } Elias King Ct:

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	Charles Tilden	W ^m Tollard	Henry Carter
Juro ^{rs} Names:	John Bowles	Thomas Cooper	ffrancis Ashbury
	Tho: Seward	William Spring	Jn ^o Whittington
	Edward filton	Thomas Browne	Thomas Evans.

Juro^{rs} charge &c. Gent^l of the Jury &c^a:

The Jury haveing received theire charge Upon oath and Witnesses Examined have brought in their Verdict as followeth

Wee of the Jury find for the pl^{ie}.

Cha Tilden fforeman

The Deft Craves an appeale. Thomas Osbourne Security for psecuteing the Appeale.

Vera Cop^a: Elias: King Clk:

And the said Thomas & Susanna his wife by Robert Ridgely their Attorney come and defend the force and injury when &c and pray Liberty to Imparle hereunto untill next Provinciall Court and It is granted unto him the same day is given to the plts Likewise

Now here at this day to witt the thirtyeth day of Novemb^r in the sixth ~~fifth~~ year of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annog^y Domini 1680 Came the said Lewis Blangey and Mary his wife by their Attorney aforesaid, and Exhibited to the Justices here their Reasons for their Appeale from the Judgment of the County Court of Kent County aforesaid in the Cause aforesaid, And Assigne for Cause of such their Appeale and Erro^{rs} in the proceedings of the said County Court according to Act of Assembly in that case made & pvided as followeth

(1) Itt appeares by the Record hereunto annexed that the originall writt issued out in this Cause was for the said Lewis Blangey and Mary his wife to answeere the suite of Thomas Harris and Susanna his wife in a plea of debt And the Declaracon is that that Lewis Blangey and Mary his wife Exix of the Last will & Testament of Desborow Bennet deceased were sumoned to answeere unto Thomas Harris in a plea that they Rend^r unto the said Thomas & susanna his

wife Two two yeare old Heifers wth their Increase w^{ch} they the said Liber W. C.
 Lewis and Mary unjustly detain, and thereupon the said Thomas
 Harris by James Coursey his Attorney sayth That Whereas the said
 Desborow Bennet in his life by his last will and Testament Dated
 the 26th day of Ap^l Anno Domini 1676 did give & bequeath unto
 the said Thomas Harris one Two Yeare old heifer, and unto his
 sarvant Susanna Hortly now the wife of the said Thomas Harris
 one other Two yeare old Heifer to be deliuered to them wthin six
 Moneths after his decease, and the said Desborow dyed in January
 following, and his said will proved in due forme of Law as by the
 said Will Remaining Upon Record may appeare Neverthesse the
 said Lewis Nor the said Mary the said Two Heifers to the said p. 272
 Thomas and susanna hath not delivered wthin the time menconed
 in the said Will nor at any time since though often demanded to the
 damage of the said Thomas Thomas six thousand pounds of To-
 bacco. and thereupon brings his ac^on

W^{ch} Originall and Count thereupon are palpably Eronious, and
 the same and all the proceedings thereupon ought to abate and be
 Quashed

(1)—for that there is variance between the writ and Declaracon, and
 the Declaracon is not Maintaineable by the writ, for the writ is
 in ac^on of debt, and the declaracon is in action of Detinue for Two
 Heifers w^{ch} is Variance from and not Mantaineable by the writt

(2) The writ is to answere unto Thomas Harres and susanna his
 wife in a plea of debt. and the Count is only to answere unto Thomas
 Harris that they Rend^r unto the said Thomas and Susanna his wife
 Two two yeares old heifers wth their Increase w^{ch} they the said Lewis
 and Mary Unjustly detain, w^{ch} also is Variance from & not Main-
 taineable by the writt

(3) The said Declaracon is also Vitious for the uncertainty of it
 saying that they rend^r unto the said Thomas and Susanna Two two
 yeare old Heifers and their Increase, w^{ch} increase they ought to have
 ascertained y^e age and Number

(4)—Had the writ and the Count agreed they ought to have set
 downe the Vallue of them. That is to say Two two yeare old heifers
 of the vallue of &c

(5)—The ac^on is also vitious had the Count and writ agreed as
 aforesaid for they Could not Joyne in ac^on for both together for
 the wife Could not Joyne in ac^on for the legacy given to her hus-
 band but it would have been Erro^r nor the husband sue for the Legacy
 given to the wife without the wife, nor Can the husband and wife
 Joyne in an Ac^on Together for both the Legacies but it is Erro^r,
 but here they are Joynt in the Capias for both. and hee single in
 the Declaracon for both. To answere unto Thomas Harris &c. and
 the said Thomas by James Coursey his Attorney &c To the damage

Liber W. C. of the said Thomas Harris &c: Whereupon brings his action &c. All w^{ch} is manifestly vitious & Erronious

(6) The said Cause is Coram Non Judice, ffor the Comission^{rs} or Justices of the County Court of Kent County have noe Power authority or Jurisdic^{con} whatsoever To heare Trye or otherwise to determine any accon of detinue as this Case is, for any Legacy or other Cause whatsoever, Nor ought the said Lewis and Mary to have been sued there for the Same, and soe for that Reason the said proceedings ought to bee Quashed and set aside

p. 273 And therefore the Said Lewis and Mary pray the said pceedings in the said County Court of Kent County may bee Set aside and Quashed & the rather for that the said Lewis and Mary have not now nor had not at the time of the purchasing of the said Originall writt of the said Thomas & susanna, of the Estate of the said Desborow Bennet w^{ch} was of the sd Desborow at the time of the decease of the said Desborow to pay the Legacyes aforesaid had they beene duely or in a due place Sued or impleaded for the same, and that they to all things that they have Suffered by Occasion of the p^rmisses may bee restored

Which Reasons aforesaid being Read heard and Argued and by the Justices here fully Understood and dilligently Examined It seemeth unto the same Justices that the Error in the ffirst Reason is sufficient in Lawe to Reverse the aforesaid Judgment of the County Court of Kent County aforesaid, Therefore It is Considered that the Judgment afores^d for the Erro^{rs} in the first reason aforesaid as also in the Record and processe aforesaid, Bee Revoaked Adnulled and altogether held for Nothing, & That the said Lewis Blangey and Mary his wife unto all things w^{ch} by occasion of the Judgment aforesaid they ~~hath~~ have Lost bee Restored, and that The said Lewis Blangey and Mary his wife Recover against the said Thomas Harris & susanna his wife the sume of Twelve hundred fifty six pounds of Tobacco for his Costs and Charges in this behalf Expended

To the hono^{ble} The Justices of the Justices of y^e Prov^l Court
 Arthur Sawyer } **Whereas** Edward Gibbs late of Somerset County
 ag^t } Marchant was Sumoned to answere unto Arthur
 Edward Gibbs } Sawyer of Bristoll Marchant of a plea that hee Render unto him his reasonable account for the time hee was receiv^r of the goods wares Marchandizes and Tobaccoes of him the said Arthur to the pfit of him the said Arthur w^{ch} to him to Rend^r hee ought, and for that the said partyes have pceeded before Yo^r Hono^{rs} in the Provinciaall Court of this Province of and upon the p^rmisses Soe farr that Judgm^t was by yo^r hono^{rs} in the said Court Awarded that the said Edward Gibbs ought to acco^t wth the said Arthur Sawyer for the time hee was Receiv^r of the goods wares Marchandizes and Tobaccoes of him the said Arthur to the Vallue

of Two hundred thirty two pounds ffoure shillings and three pence Sterl: Whereupon a Certaine Comission issued out of the Prov^l Court Bearing date the Seaventeenth day of May in the ffifth yeare of the Dominion of the Right hono^{ble} Charles &c over his said Province of Maryland Annoq; Domini 1680 Unto Major Charles Boteler and Cap^t Thomas Clagget of Calvert County gentl directed Authorizeing and impowering us the said Charles Boteler and Thomas Clagget Audito^{rs} to audite state and Examine the account of the said Edward Gibbs to the said Arthur Sawyer for the sume aforesaid and to the End aforesaid, The said Commission also givinge authority to us the said Audito^{rs} to meete at such time and place when and as often as to us the said Audito^{rs} should seeme Meete and Convenient, and that the said Edwd Gibbs should then and there attend us the said Audito^{rs} from day to day untill his said acco^t bee fully audited Examined and stated, and when the same should bee audited stated and Examined by us as aforesaid that then wee the said audito^{rs} should make Report thereof unto Yo^r hono^{rs} att the next Provinciaall Court to bee held att the City of S^t Maryes the ffifth day of Octob^r next Ensueing und^r yo^r hands and seales as by the said Comission hereunto Annexed may appeare

Liber W. C.

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By vertue of w^{ch} said Comission and in obedience to his Honob^{le} Court Wee the said Charles Boteler and Thomas Clagget haveing taken Upon us the Charge of the said Audite, did appointe to meete at the house of Benjamin Lawrence of the said County of Calvert to audite state and Examine the accounts aforesaid Upon the last day of August in the Yeare of our Lord 1680, and haveing given due notice thereof unto the said Edward Gibbs his Procurato^{rs} and Attornyes then and there to appeare for the purpose aforesaid. Upon w^{ch} said last day of August Came aswell the said Arthur Sawyer by George Parker his Attorney and the said Edward Gibbs in his prop^{son}, and the said Edward Gibbs then and there did Confesse himself to bee Receiver of the goods Wares Marchandizes and Tobaccos of the said Arthur Sawyer to the Vallue aforesaid, and that for the same hee ought to acco^t, And further sayth that for the said Two hundred thirty two pounds ffoure shillings and three pence sterling hee did purchase Tobacco in this Province for the prop^{son} acco^t of the said Arthur Sawyer at the rate of Tenn Shillings Six pence sterling p hundred w^{ch} in the whole doth amount to the sume of fforty four thousand Two hundred Seaventy Seaven pounds of Tobacco, And Prayeth that from thence forth hee may bee charged (instead of the said sume of Two hundred thirty two pounds ffoure shillings & three pence ster) onely wth the aforesaid Sume of fforty ffoure Thousand Two hundred seaventy seaven pounds of Tobacco, w^{ch} by the said George Parker Attorney for the said Arthur Sawyer was in noe wise gainsayed or denied. Thereupon the said Edward Gibbs Exhibited his acco^t unto the said Arthur Sawyer and therein

Liber W. C. made himself Debto^r unto the said Arthur for the sume of fforty
 p. 275 foure Thousand Two hundred seaventy seven pounds of Tobacco,
 and on the other side prayed Allowance in discharge of the same for
 Seav^{ll} Sumes of Tobacco Shipt home disbursed and expended for
 the said Arthur Sawyer Upon the goods Wares and Marchandizes
 aforesaid, but by reason that the said Edward Gibbs Did Alleadge
 that hee wanted seav^{ll} Receipts and Papers to prove his Expences
 and Disbursements by him prayed to bee allowed as aforesaid, hee
 prayeth further time to produce the same Whereupon day was given
 unto the said partyes untill the Twenty fourth day of September
 then next following,

Att w^{ch} said day came the said George Parker Attorney of the
 said Arthur Sawyer. and Exhibited his Exceptions to the account
 of the said Edward Gibbs w^{ch} said Exceptions aswell as the
 aforesaid acco^t of the said Edward are hereunto Annexed, And
 also the said Edward Gibbs and prayeth allowance as afores^d When
 wee the said Audito^{rs} haveing taken into our serious Consideracon,
 as well the said acco^t of the said Edward as the said Exceptions
 of the said George Parker Attorney of the said Arthur sawyer
 thereunto. and haveing viewed & Considered All such bills of Lade-
 ing. Receipts discharge and other paps unto the said account Re-
 lateing unto us produced, and haveing allowed unto the said Ed-
 ward Gibbs all Such charges disbursements Expences & Sallary
 as to us hath seemed Reasonable a pticular Whereof is hereunto
 annexed, Upon the whole matter doe finde That the said Edward
 Gibbs is behind in arreareages of account unto the said Arthur
 Sawyer The sume of ffourteene thousand Eighty three pounds of
 Tobacco. And wee the said Audito^{rs} further say That Whereas the
 said George Parker on the behalfe of the said Arthur Sawyer sayth
 that the said Arthur ought to bee allowed after the rate of thirty
 p Cent for what Tobacco shall bee found in arreareages due to the
 said Arthur for the wrong done him &c as by the said Exceptions
 more at large appeareth. But for that Wee the said Audito^{rs} are
 ignorant Whether the Course of the Comon Lawe gives us any
 power or Authority to Assesse damages in such cases, Wee doe
 humbly pray the advice of this hono^{ble} Court therein, and Leave the
 same wholly to Yo^r Hono^{rs} better Judgments & discessions Whether
 any, or how much Damages the said Arthur Sawyer ought to have
 for his Losse therein Sustained **In witnesse** Whereof wee have
 hereunto set o^r hands and Seales This Twenty fourth day of Sep-
 temb^r Annoq Domini One thousand Six hundred and eighty

C: Boteler (sealed)

Thomas Clagett (sealed)

Edward Gibbs D^r to Arthur Sawyer

To 2 Cargoes of goods received of two seav^l shipp^s of
the hands of the said Arthur Sawyer Amounting in the
whole to the sume of 232^{li}: 4^s: 3^d: for w^{ch} the said
Edward purchased Tobacco in Maryland at the rate of
tenn shill six pence p C. for the prop acco^t of the said
Arthur Sawyer. amounting in the whole to the sume of: } Liber W. C.
li Tob: }
... 44277 }

P Contra Cr:

p. 276

By allowance made to Edward Gibbs in discharge of 44277ⁱ Tob
as followeth Viz:

Imp ^{rs} by 8 hhds Shipt with Biddiford Marchant und ^r	}	...	3380
Consignm ^t to Arthur Sawyer as p bill of Loadeing...			
Item by 3 hhds of Tob shipt in the Sarah and Elizabeth	}	...	1364
und ^r Consignm ^t to Arthur Sawyer as by bill of Loade-			
ing			
Item by 3 hhds of Tob Shipt in the Loveing ffriendship	}	...	i346
und ^r Consignm ^t to ditto Sawyer p bill of Loadeing...			
Item by 20 hhds of Tob shipt in the Susanna of Bristoll	}	...	8432
und ^r Consignm ^t to ditto Sawyer p bill of Ladeing....			
Item by seav ^l bills Taken of seaverall psons in the	}	...	2567
Name of the said Arthur sawyer Upon the accounts			
of the said goods as by bookes of sales appears			
Amounting in the whole to the sume of.....			
Item Tobacco pd to ffr. Billingsley for Carrying the	}	...	600
57 ⁱ Cargo from Petuxent to Garyes.....			
Item for Tob paid Two men to goe in the boats to	}	...	240
Carry the said goods six dayes each.....			
Item for Tobacco payd John Gary for 2 Monthes stor-	}	...	i450
eige as by Garyes receipt for the 57 ^{li} Cargo.....			
Item for Tob paid Benjamin Lawrence for 9 Moneths	}	...	3400
storage of the 175 ^{li} Cargo. that is to say from the 20 th			
of Decemb ^r 1675 till y ^e 20 th of Septemb ^r 1676 at			
400 ^{li} Tob p Moneth Amounts to.....			
Item for Tob pd Henry Hooper for transporting y ^e	}	...	i000
Remaind ^r of the 175 ^{li} Cargo to Manings as p receipt..			
Item for Tob pd Liveing Denwood for 2 Mo ^{ths} storage	}	...	1500
of y ^e sd goods y ^t is to say from y ^e last of septemb ^r 1676			
untill y ^e last of Nov ^r following.....			
Item to Abraham Ratliffes acco ^t not pd as p booke of	}	...	422
sales appears			
Item to Humphrey watersworths acco ^t for goods sold	}	...	390
as by booke of sales for w ^{ch} noe Tobacco Can be			
gotten			
Item to W ^m Minchins acco ^t for goods sold as by booke	}	...	497
of sales for w ^{ch} noe Tobacco can bee gotten.....			

Liber W. C.	Item to sallary for receiveing 22712 ^{li} Tob at 10 ^{li} p	...	227i
	Cent	}	193
	Item for Sallary for selling goods to the vallue of 3876 ^{li}		
	Tob: at 5 ^{li} p Cent.....	...	1040
	Item for 28 gall of brandy Expended in the sales of both	}	102
	Cargoes of goods.....		
	Item for 1 ps of scotch Cloath stollen out of the store	...	
	at Benj ^a Laurences charged at 10 ^s . 9 ^d.....	...
Summ Totall			30194

Total debt li Tob:..... 44327

Total Cr: 30194

Rests due to Sawyer to baff... 14083 li Tobacco

C. Boteler

Tho Claggett

Maryland ss:

p. 277 Exceptions taken by George Parker Attorney of Arthur Sawyer of the City of Bristoll Marchant against the Lane and unjust acco^t of Edward Gibbs Receiv^r of the goods Wares Marchandizes & Tobacco of him the said Arthur Sawyer to the pfit of the said Arthur Exhibited by the said Edward Gibbs as Receiver of the same, And offered to the serious Consideracon and Judgment of Majo^r Charles Boteler gentl and Capt Thomas Clagget gentl Audito^{rs} appointed authorized and Chosen by the hono^{ble} the Justices of his Loppes Provinciall Court wthin the Province of Maryland to audite and settle the accounts betweene the said Gibbs & the said sawyer. as followeth Viz

- 1st—That y^e two hhds of Tobacco p^rtended to bee stollen from Henry Mitchels was not the pp Tob of the s^d Arthur sawyer nor marked wth y^e marke of the s^d Arthur, neither was they received for the said Arthur Sawyers use & soe not to bee Allowed to the said accountant..... } li Tob 798
- (2)—That the one hh^d of Tob p^rtended to bee stollen from Jeffrey Meanlys recd by the ord^r of James Thompson was not the prop Tob of the sd Arthur sawyer nor marked with the marke of the said Arthur neither was it rec^d for y^e said Arthur Sawyers use and soe not to bee allowed to the said accomptant..... } 480
- (3)—That the one hh^d of Tob p^rtended to bee lost from paul Higgins was not the pp Tob of the said Arthur sawyer nor marked wth the marke of the said Arthur Neither was it Received for } 402

Liber W. C.

- the said Arthurs use & soe not to bee allowed
to the said accomptant.....
- (4) That the one hh^d of Tob p^tended to bee lost
from Henry Harrison's was not the pp Tob-
bacco of the said Arthur Sawyer nor marked
with the marke of the said Arthur Neither was
it rec^d for the said Arthur Sawyer & soe ought
no to be allowed..... } ... 404
- (5)—The said Accomptant Gibbs chargeth Eight gall
of brandy at 35^{li} p gall w^{ch} ought not to bee
allowed, because the said Sawyer ordered him
the s^d Gibbs noe brandy to bee spent upon the
said Sawyers acco^t being altogether unneces-
sary for the said Sawyers use..... } ... 280
- (6)—The said accomptant chargeth 20^{li} of sugar w^{ch}
not to bee allowed, by reason the said sawyer
gave noe ord^r for the same being altogether
unnecessary for the said sawyers use..... } ... 60
- (7)—The said Accomptant Gibbs chargeth Tobacco
to bee paid to Benjamin Laurence for Stor-
eidge but sets downe noe time, when or how
long hee used the store nor for whose goods
w^{ch} ought not to bee allowed by reason that the
Accomptant chargeth 15^{li} Tob p Cent for his
Comission, in w^{ch} storeidge is included ac-
cording to the Custome of Marchandizeing in
this province } ... 3600
- (8) The said Accomptant Gibbs chargeth Tob
p^tended to bee p^d to Jn^o Gary for storeidge,
but sets downe noe time when or how long hee
used the store nor for whose goods w^{ch} ought
not to bee Allowed. because the accomptant
chargeth 15^{li} Tob p Cent for his Comission
in w^{ch} storeidge is included &c..... } ... 1400
- (9) The said Accomptant Gibbs chargeth Tobacco
paid to Henry Hooper for Carrying the goods
to Somerset County, but sets not downe whose
goods they were Neither produces any receipt
for the payment of the same w^{ch} ought Not to
bee allowed because it was altogether Uneces-
sary to Carry the said Arthur Sawyers goods
into somerset County when they might have all
been sold in Calvert County: had the said Ac-
countant used his Utmost Endeavo^r and Indus-
try to sell the same..... } ... 1000

p. 278

Liber W. C.	(10)	The said Accomptant Gibbs chargeth Tobacco p ^r tended to bee pay ^d to Lewin Denard but setteth downe noe time when or how long hee used the Store, w ^{ch} ought not to be allowed because the said accountant chargeth 15 ^{li} Tob p Cent for his Comission, in w ^{ch} Storeidge is Included according to the Custome of Marchandizeing in this Province.....	... 1500
	(11)	—The said Accountant Gibbs chargeth 20 galf of Rum spent in sale of the goods, but doth not Mention whose goods but ought not to be allowed by reason the said accountant had noe ord ^r from the said Arthur Sawyer to buy Rum to sell his goods being altogether Unnecessary for the said Sawyers use.....	... 700
	(12)	—The said Accountant Gibbs chargeth thirty pounds of sugar w ^{ch} ought not to bee Allowed being altogether Unnecessary for the said sawyers use: .....	... 90
	(13)	The said accountant Gibbs chargeth Tob pd for y ^e ffreight of his goods in the Sarah and Elizabeth w ^{ch} ought not to bee allowed because hee the said Gibbs did not pay the same.....	... 800

 11544

The Exceptant Sayth that hee ought to bee allowed after the rate of 30^{li} Tob p Cent for what Tob the Accountant shall bee found in arreareages Due to the Exceptant, for the wrong done him the said Exceptant by the Carelesnesse. and Negligence of him the said Accountant in not Shipping home and makeing due Returnes of the goods and Tobaccoes of him the s^d Arthur as hee ought to have done to the said Exceptant, and for that the said Accountant Allowed Tenn shillings and Six pence p 100 for Tobacco, when as good Tobacco was bought at the same time for 8^s 6^d p 100, and for that Tobacco is not worth at this time above foure shillings p 100. w^{ch} must bee and is very greate Losse and Damage to the said Exceptant, w^{ch} the said Exceptant hopes that You the said Audito^{rs} will bee pleased to take into Yo^r Serious Considera^{co}ns Soe that hee may not be too greate a Looser by the Said Accountant

Geo: Parker:

The Acco^t of Edward Gibbs Exhibited the 1st day of Septemb^r 1680 Unto Arthur Sawyer of the Citty of Bristoll Marchant before Certaine Audito^{rs} by the Honoble the Provincial Court of this Province Authorised. and Appointed as followeth: Viz

To seav ^l goods wares and Marchandizes Rec ^d of the said Arthur Sawyer in the Citty of Bristoll upon the ninth day of October 1674 on board the shipp Sarah & Elizabeth. John Houlbrooke Mast ^r Amounting to the Vallue of	1 s d 57:2:11	Liber W. C.
To seav ^l goods wares and Marchandizes Received of the hands of John ffogler Comand ^r of the Lilly dogger of London the Latter End of the Moneth of Decem- ber 1675 of the pp goods of the said Sawyers to the Vallue of	li ss: d 175:1:3	p. 279

234:4:3:

This Acco^t Currant of Edward Gibbs to Arthur
Sawyer for the Goods aforesaid

To the produce of the Two hundred thirty foure pounds ffoure shillings three pence sterl in Tobacco Allowing in Maryland the Rate of Tenn shillings six pence p hundred is	1 Tobacco 44277
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Per Contra Creditor Viz

1674	By 8 hhds of Tob shipt on y ^e Biddeford March ^t , und ^r Consignm ^t to Arthur Saw- yer as p bill of Ladeing dated ye day of q ^t Neate.....	1i Tob: ... 3380
	By 3 hhds of Tob ship on the Sarah & Elizabeth under Consignm ^t to ditto sawyer as p bill of ladeing dated y ^e 17 th day of May 1675 Q ^t Neate.....	... i364
	By 3 hhds of Tob in the Loveing ffriend- ship und ^r Consignm ^t to ditto Sawyer as p bill of Ladeing appeares Q ^t Neate..	... i346
No: 7 th & 8 th —	By 2 hhds of Tob stolen from Henry Mitchells qt Neate.....	... 798
	By ffraight pd Jn ^o Howlbrooke for freight of the 57 th Cargo.....	... 800
9—	By 1 hhd lost from Jeffrey Meanleys Recd of James Thompson.....	... 480
14—	By 1 hhd lost from paul Higgins qt Neate .....	... 402
13—	By 1 hhd lost from Henry Harris qt Neate .....	... 404
	By 8 gall of brandy & 20 ^{li} of sugar spent at the sales of the Cargo of 57 th.....	... 340
	By one bill of Hugh poole taken for his Acco ^t for goods.....	... 919
	By one bill of Dan ^l Jeff ^{rs} taken p his acco ^t for goods.....	... 500

Liber W. C.

By Tob pd ffrancis Billingsley for ffetch- ing the goods of y ^e 57 ^{li} Cargo from Pe- tuxent to Garyes.....	600
pd 2 Men for 6 dayes at 20 p day to goe in the boate for the said goods.....	240
pd John Gary for Storeidge of the said 57 ^{li} Cargo for Two Moneths.....	1450
By 20 hhds shipt in the susanna und ^r Consignm ^t to ditto sawy ^r as p bill of Loading apps	8432
To Benj ^a Laurence for Storeidge of the 175 ^{li} Cargo from 20 th Decemb ^r till y ^e 20 th septemb ^r 1676 at 400 ^{li} Tob p Moneth is	3600
By Tob pd Henry Cooper for Transport- ing the said goods from Benja Laurence's in Petuxent to Liveing Denwood's in Somerset County	1000
Paid to Liveing Denwood for Two Moneths Storeidge of the said goods...	1500
By 20 gall of brandy to dispose of the said goods with. at.....	700
by 30 ^{li} of sugar spent in disposing of the said goods	90
To Comission for selling and Receiving 40399 ^{li} Tob 15 ^{li} Cent.....	6060
By Abraham his Acco ^t as appeares by booke	422
By Humphrey Waters his acco ^t as ap- peares by booke.....	390
By W ^m Minchen as appeares by his Acco ^t as by booke.....	497
By John Wright as by bill appeares.....	638
By Thomas Holland as P bill appeares.....	510
By Comission for selling goods for 2457 ^{li} Tob not Recd at 5 ^{li} p Cent.....	124
To 1 ps of Scotch cloath Stollen out of the store at Benjamin Laurences charged to me at 10 ^s : 9 ^d . qt.....	102

p. 280 Now here att this day to witt the Six and Twentyeth day of
Novemb^r in the fifth yeare of the Dominion of the R^t hono^{ble}
Charles Lord Baltemore &c Annoq³ Domini 1680 came aswell the
said Arthur Sawyer by George Parker his Attorney as the Said
Edward Gibbs by Robert Ridgely his Attorney, And the accompt
and Report of the Audito^{rs} aforesaid being read and heard It is
Considered that the afores^d Arthur Sawyer Recover against the
said Edward Gibbs the aforesaid Sume of ffourteene thousand and

Eighty three pounds of Tobacco being the ballance of the Afore-
goeing account, as also the sume of Thirteen hundred & Twelve
pounds of Tobacco Costs of Suite and the debt in Mercy &c: Liber W. C.

23 November 1680

This is to signifie That I desire to have my Appearance entred
for Walter Davies at suit of Henry Mitchell in Appeale. And for
William Pike att suit of William Jones in an Accon of Trespasse
vpon the Case Witness my hand the day & yeer abovesaid.

Chr: Rousby

Witness: Tho Bland

To the Hon^{ble} the Justices of the Provinciaall Court The humble
Peticon of Christopher Rousby One of the Attorney's of the said
Court.

Sheweth

That it hath pleased Almighty God of late to visit yo^r Peti^{con}er
with a Great fitt of sickness whereof he is not as yett recou^{er}ed soe
y^t hee hath not been able to stire out of his Chamber these ffive
weeke By reason whereof yo^r Peti^{con}er is disabled in giving his
psonall Attendance this p^rsent Court As otherwise in Duty he ought
to doe

Yo^r peti^{con}er therefore humbly pray's that yo^r Hono^{rs} will please
to Consider of the p^rmisses And Graunt that the Causes & busines
of Court wherein yo^r Peti^{con}er is Concerned may be Continued till
next Court

And yo^r Peti^{con}er shall ever pray &c

Which being read & heard it is ord^{ed} by y^e Court here this day
to witt the Twenty ffourth day of November in y^e fifth yeer of
the Dom of y^e R^t hon^{ble} Charles Lord Baltemore &c Annoq^{ue} Dm
1680 that all accons wherein the Peti^{con}er is onely Concerned as At-
terson either for y^e P^lt or Deft bee and Continue vntill the next Court.

James Derumple & Mary
his wife Ex^{ix} of Jn^o Clements
ag^t
Edward Mann

} Comand was given to the Sheriffe p. 281
of Talbot County that whereas
heretofore to witt three & Twenty-
eth day of ffeb^{ry} Itt was Comanded
him that hee Should attach any the

goods or Chattles of William Orchard and George Lewen of Poole
in the Kingdome of England Marchants if they should bee found in
his baliwick to the Vallue of Two hundred Sixty two pounds nine
shillings and Ten pence ster^l. and when hee had the same Soe at-
tached or any part thereof the Same in his Custody to Keepe untill
the said William Orchard and George Lewen should by themselves
or their Attorney appeare here the Eleaventh day of May then Next
Ensueing. to Answere unto James Derumple and Mary his wife

Liber W. C. Ex^{ix} of the Last will and Testament of John Clements deceased in a plea of Trespasse on the case, Att w^{ch} said Eleaventh day of May aforesaid the said sheriffe made Returne of the writt aforesaid That by vertue thereof hee then before Cap^t Lionell Ripley and divers others demanded of M^r Edward Mann to Lett him see what Salt hee had in his Custody belonging to M^r Orchard and Company & that hee Confessed there was about ffoure hundred busshells of salt in his Custody w^{ch} did formerly belong to M^r Orchard, but was the last yeare by his order Delivered to M^r John Dorrill, and that hee the said Edward Man went wth him to the Tobacco house w^{ch} they found Locked. and the said sheriffe demanded the Key but the said Mann refused to deliver it and said that hee might Looke in and see the salt. w^{ch} hee did, and then in the p^rsence of the persons aforesaid hee attached the same w^{ch} they guessed to bee about ffoure hundred busshells for the use of the said James Derumple and Mary his wife as the Supposed goods of William Orchard and George Lewen, And It was thereupon further Comanded the said sheriffe that by good and Lawfull men of his baliwick hee should make Knowne unto the said Edward Mann that hee bee and appeare here the ffifth day of October then next Ensueing, to shew Cause if any hee had why hee ought not to deliver into the custody of the said Sheriffe, the said Salt by him attached as aforesaid, that the same in his Custody might bee Kept according to the aforemenconed Attachm^t w^{ch} said ffifth day of october on w^{ch} the said Court was to bee held was by his Lopps writts of Adjournment Adjourned untill the threeé and Twentyeth day of November then next following, On w^{ch} said three and Twentyeth day of November Thomas Vaughan Sheriffe of the County aforesaid made returne of the writt aforesaid, That by vertue thereof hee hath summoned the said Edward Mann to appeare here as by the said writt hee was Comanded

Edward Mann of Talbot County Marchant maketh oath That in the yeare 1675 There was Sent and Consigned unto this Deponent by the said William Orchard William Boddy and George Lewen of
 p. 282 Poole Marchants a Quantity of salt for this Depon^t to sell and Dispose of for their use, but this depoñt had noe opportunity to make sale thereof till the Yeare 1678 Att w^{ch} time by the then shipping this Deponent Received order from the said Orchard and Company to deliver the same to John Dorrell Master of the Sea Flower who brought the same in, That this Deponent was Ready to have Delivered the same salt to Dorrell according to the ord^r aforesaid, But Dorrell not haveing opportunity to sell the same Desired this Depon^t to Keepe the Same in his Custody for him till hee Could Dispose thereof, That the said Salt is Still Remaining in his Custody undisposed of. & that hee Cannot tell the Quantity thereof the same not haveing been Measured, but whether the said Salt bee the goods of

Orchard & Company or by them Sold to Dorrell this Depon^t Cannot tell, but this Depon^t is ready to deliver the same to such pson as Can give him a legall discharge for the same makeing this Deponent Satisfacōn for his Storeidge, and ffurther hee sayth not, Onely this Deponent sayth that some part of the said salt the said Dorrell Received and Disposed of, but what Quantity this Depon^t Knoweth not, and this Depon^t hath past a Noate under his hand to deliver the Remainder to Dorrell when thereunto Requested according to his fformer order

Liber W. C.

Sworne this sixth : day of October 1680

Before mee. W^m Calvert

John Whittington of Talbot County maketh oath That this Depon^t haveing occasion ffor some salt. hee this Depon^t Went to John Dorrell Master of the Seafflower who this Depont heard had some salt Lyeing at M^r Mans to dispose of, but the said John Dorrell sayd as to what was his owne Salt hee had disposed thereof, and what was there left was none of his owne and hee Could not or would not dispose of the same till hee had further ord^r & when hee came in againe. This was in the yeare 1678 about ffebruary

Sworne the Sixth day of October 1680

Before mee. W^m Calvert

Which being Read and heard It is ordered that the said James Derumple & Mary his wife Ex^x as aforesaid give security unto this Court according to Act of Assembly in that Case made and pvided, And that the said Salt soe attached as aforesaid bee thereupon delivered unto the said p^{lts} by the Sheriffe of the County aforesaid who is to see the same Exactly Measured, **Whereupon** came the said James Derumple with George Robins and John Stanley of the County aforesaid his Suretyes and did undertake for the said James Derumple and Mary his wife in the sume of Tenn thousand pounds of Tobacco to indemnify this Court against all actions suites or other matters that may happen touching or Concerning the aforesaid attachment, and the order for the delivery of the same as aforesaid, and Shall make restituōn of the Same or the Vallue thereof in case the said William Orchard and George Lewen shall by themselves or their Attorney within a yeare and a day make their Just and due defence & proceed on in the said accon in Common fforme. and make it appeare that the said Plaintiffes is Satisfyed their Just demands:

p. 283

Walter Dunch	}	Comand was given to the Sheriffe of Dorchesto ^r County That Whereas att a Provinciaall Court held at the City of st Maryes the seaventh day of March Annoq ³ Domini 1678 in a suite there Depending betweene the said Walter Dunch plt & the said William Dorington Deft the said p ^{lt} Recovered Judgment against the said
ag ^t		
W ^m Dorington		

Liber W. C. deft for One hundred and Twenty pounds Sterl debt and five hundred & sixty pounds of Tobacco Costs of Suite, and for that Execution had not thereupon issued. It was therefore Comanded the said sheriffe that by good and Lawfull men of his baliwick hee should make Knowne to the said William Dorington that hee should bee and appeare here the ffifth day of october in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq; Domini 1680 to shew Cause, if any hee hath why Execution should not Issue forth against him Upon the said Judgm^t w^{ch} said ffifth day of October on w^{ch} the said Court was to bee held was by his Loppes writts of Adjournment adjourned untill the three and Twentyeth day of November then next following, On w^{ch} said Three & Twentyeth day of November Stephen Gary Sheriffe of the County afores^d made Returne of the writt aforesaid, That by William Stevens Juni^r and John Stevens, hee had made Knowne unto the said William Dorington to bee and appeare here as by the said Writt hee was Comanded

Afterwards to witt the ffoure and Twentyeth day of November in the yeare aforesaid Came the said Walter Dunch by George Parker his Attorney and prayeth Execution of the debt and Costs aforesaid, and y^e s^d W^m Dorington although soe warned being solemnly Called Came not but made default therefore It is Considered that the said Walter Dunch have Execucon against the said William Dorington for the debt and Costs aforesaid, and alsoe five hundred twenty eight pounds of Tobacco costs of suite Sithence Layd out and Expended

p. 284 Owen Guither Adm^r of Mary Jones Adm^r of Morgan Jones: ag^t John Rawlings: } Comand was given to the Sheriffe of Dorchest^r County that whereas att a Provinciaall Court held at the City of S^t Marys the Eighth day of October Annoq; Domini 1677 in a Suite there depending betweene Morgan Jones deceased p^{lt} and John Rawlings late of Dorchest^r County deft the said p^{lt} Recovered Judgment against the said Deft for Two Mares Six Shoates and one barrell of Indian Corne in Eares wth five hundred thirty and Six pounds of Tobacco costs of Suite, and for that Execucon hath not thereupon issued Itt was further Comanded the said Sheriffe that by good and Lawfull men of his baliwick hee should make Knowne unto the said John Rawlings that he should bee and appeare here the three and twentyeth day of Novemb^r in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq; Domini 1680 to Shew Cause if any hee hath why Execucon should not issue forth against him for the debt and Costs aforesaid for and in the name of Owen Guither Adm^r of Mary Jones the Adm^r of the said: Morgan Jones deceased On w^{ch} said Three and Twentyeth day of Novemb^r aforesaid Stephen Gary sheriffe of the

County aforesaid made Returne of the writt aforesaid, That by Michael Russey and Gourney Crowe hee hath made Knowne unto the said John Rawlings that hee Should bee and appeare here as by the said writt hee was Comanded Liber W. C.

Afterwards to witt the ffoure and Twentyeth day of November in the yeare aforesaid Came the said Owen Guither by Kenelm Cheseldyn his Attorney and prayeth Execucon of the debt and Costs aforesaid & the said John Rawlings although soe warned being solemnly Called Came not but made default. therefore It is Considered that the said Owen Guither Ex^r as aforesaid Have Execucon against the said John Rawlings for the debt and Costs aforesaid, and alsoe for pounds of Tobacco Costs of Suite Sithence Laid out and Expended:

Gerrard Vanswearingen ag ^t Josias ffendall	}	Comand was given to the Sheriffe of Charles County that hee take Cap ^t Josias ffendall if hee Should bee found in his baliwick and him Safe Keepe soe that hee should have his body here the three and Twentyeth day of Novemb ^r in the ffifth yeare of the Dominion of the Right hono ^{ble} Charles Lord Baltemore &c Annoq; Domini 1680 to Rend ^r unto Garret Vanswearingen the sume of Eighteen hundred & Nine pounds of Tobacco. w ^{ch} to him the said Garret att a Provinciaall Court held at the City of S ^t Maryes the ffifteenth day of May last past was adjudged for his Costs of Suite upon the Reverseing of a Judgm ^t formerly obtained in the County Court of Charles County by the said Josias ffendall against the said Garret Vanswearingen (whereof hee is Convicted)	p. 285
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On w^{ch} said three and Twentyeth day of Novemb^r in the yeare aforesaid W^m Chandler Sheriffe of the County aforesaid made Returne of the writt aforesaid that by vertue thereof hee hath taken the said Josias ffendall but Cannot bring his body downe as by the said writt hee was Comanded

Thomas Lomax ag ^t Gerrard Slye	}	Comand was given to the Sheriff of S ^t Maryes County That Whereas Gerrard Slye late of S ^t Maryes County gentl was attached to answeere unto Thomas Lomax of a plea Wherefore with force and Armes one Tract of Land Called Rich Neck Containing ffive hundred Acres bee the same more or Lesse Scituate lyeing & being in the County of S ^t Maryes aforesaid betweene Mattapany and Bushwood w ^{ch} John Coode and Susanna his wife late wife of Robert Slye deceased, and Mother and Guardian of Elizabeth & ffancis Slye the daughters of the said Rob ^t Slye in Right of the said Elizabeth and ffancis demised to the said Thomas Lomax for a Terme w ^{ch} is not yet past did Enter and him from the posession thereof did
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Liber W. C. Eject and other harmes to him did to the damage of the said Thomas Lomax and against the peace &c. And thereupon the said Thomas Lomax by Robt Carvile his Attorney Sayd that Whereas the said John Coode and Susanna his wife late wife of Robert Slye deceased and Mother and Guardian of the said Elizabeth and ffrancis the daughters of the said Robert Slye in right of the said Elizabeth and ffrancis the Eight and Twentyeth day of September in the yeare of our Lord 1679 in st Maryes County aforesaid did demise the said Tract of Land called Rich Neck Containing ffive hundred Acres bee the Same more or Lesse Scituate Lyeing and being in the County of St Maryes aforesaid between Mattapany and Bushwood aforesaid unto him the said Thomas Lomax To Have and to hold to him the said Thomas Lomax and his Assignes from the said Twenty eighth day of September aforesaid untill the full end and Terme of three yeares from thence next Ensueing and fully to bee Compleate & ended, By vertue of w^{ch} said Demise the said Thomas Lomax into the said Tract of Land Called Rich Neck wth the appurtenances, w^{ch} the said John Coode & Susanna his wife late wife of the said Robert Slye deceased Mother & Guardian of the said Elizabeth and ffrances daughters of the said Robert Slye as aforesaid to him Demised as aforesaid, Entred, and was thereof posessed and being soe thereof posessed Afterwards to witt the ffirst day of

p. 286 October in the yeare of Our Lord 1679 The said Gerrard Slye into the said Tract of Land Called Rich Neck wth the appurtenances w^{ch} the said John Coode and Susanna his wife late wife of the said Robert Slye deceased Mother and Guardian of the said Elizabeth & ffrances daughters of the said Robert Slye as aforesaid in right of the said Elizabeth and ffrances in forme afores^d Demised for the Terme w^{ch} is not yet past Entred and him from the posession thereof did Eject and other harmes to him did to the greate damage of the said Thomas Lomax and against the peace of the Right hono^{ble} the Lord Prop^{ry}, and thereupon the said Thomas sayd hee was the worse and hath damage to the Vallue of One hundred thousand pounds of Tobacco and thereupon hee bringeth his Suite Now soe farr Itt is proceeded in this Court that on the Eleaventh day of May last past the said John Coode and susanna his wife late wife of Robert Slye deceased Mother and Guardian of Elizabeth slye and ffrances Slye the daughters of the said Robert Slye in right of the said Elizabeth and ffrancis in the Name of the said Thomas Lomax their Lessee plantiffe Recovered against the said Gerrard Slye gentl their posession of the said Tract of Land Called Rich Neck Containing ffive hundred Acres bee the same more or lesse, Also that the said plts recover against the said deflt their damages Sustained by occasion of the Trespasse and Ejectment done to the said Pl^{ts} as aforesaid, But because Itt is not Knowne what Dammages the said plantiffes have Sustained by occasion of the said Trespasse and Eject-

ment done as aforesaid Itt was therefore Comanded the same Sher-
iffe That hee Cause to Come here to witt the nine and Twentyeth
day of November in the fifth yeare of the Dominion of the Right
hono^{ble} Charles Lord Baltemore &c Anno^q Dominj 1680 Twelve
good and Lawfull men of his County to Enquire dilligently what
Damages the aforesaid Plts have sustained by occasion of the Tres-
passe and Ejectment done as aforesaid

Afterwards to witt the thirtyeth day of November in the yeare
aforesaid Cometh aswell the said plantiffes as the said Defts by their
Attorneys aforesaid, and the Juro^{rs} impannelled being Called like-
wise came (to witt) John Stanley. John Lamarre Edward Ware
Giles. Willson: W^m Thomas. Thomas Addams, Gilbert Turberville
John Hyland Peter Ellis. Thomas Spinke. John Addison, Emanu^{ll}
Ratliffe. Who being Elected Tryed and Sworne to say the truth in
the p^rmisses upon their oathes doe say That the said plantiffs have
sustained damages by occasion of the p^rmisses to Eight thousand
pounds of Tobacco, Therefore It is Considered by the Court here
that the said John Coode and Susanna his wife the late wife of
Robert Slye deceased & Mother and Guardian of Elizabeth and
ffrances Slye the daughters of the said Robert Slye in right of the
said Elizabeth and ffrances Recover against the said Gerrard Slye
aswell the afores^d sume of Eight thousand pounds of Tobacco dam-
ages by the Juro^{rs} aforesaid in forme aforesaid Assessed as also
four thousand two hundred thirty five pounds of Tobacco Costs of
suite, and the debt in Mercy &c: p. 287

Randall Henson of S^t Maryes County humbly Peticons this Court
for allowance for Eight dayes attendance being sumoned by Cap^t
Thomas Jones in a suite betweene him and Cap^t John England, w^{ch}
att thirty pounds of Tobacco p day amounts unto Two hundred and
forty pounds of Tobacco
26th Novemb^r 1680

Then allowed unto the said Randall Henson for attendance as a
witness in the ac^{on} aforesaid Two hundred and forty pounds of
Tobacco

Andrew Tennehall	} Upon Mo ^{on} made unto this Court by Charles Boteler Attorney for the Deft who hath filed his bill of Complaint against the p ^t for an In- junction on this Cawse, Itt is ordered that this Cause bee Stayed by Injunc ^{on} until the p ^t put in his Answer to the defts bill
ag ^t	
John Bennett	

John Patty	} Comand was given to the Sheriffe of S ^t Maryes County that Whereas John Patty late in the Provinciaall Court before the Justices there, By y ^e Considera ^{on} of the same Court hath Recovered against the estate of Henry
ag ^t	
Henry Hull	

Liber W. C. Hull late of S^t Maryes County deceased a Certaine debt of Two thousand Six hundred ninety two pounds of Tobacco, and also five hundred Eighty foure pounds of Tobacco Costs of suite, and because the said John Patty hath Come here and chooseth to bee delivered unto him all the goods and Chattles of the said Henry Hull besides his Oxen and Affros of his Cart, and in like manner the moiety of all his Lands and Tenements within his baliwick, To hold to him the goods and Chattles aforesaid as his owne prop goods & chattles and the Moyety aforesaid as his ffreehold to him and his Assignes according to the forme of the statute in that Case made and provided until the debt and costs aforesaid Shall bee thereupon Leavyed Itt was therefore Comanded the said Sheriffe that all the goods and chattles of the aforesaid Henry Hull besides his Oxen and Affros of his Cart, and in like manner the Moyety of all his Land & Tenements of w^{ch} hee was Seized to the aforesaid John Patty hee Cause to bee delivered by reasonable price and Extent, to hold to him the goods & chattles aforesaid as his owne prop goods and Chattles and the Moyety aforesaid as his ffreehold to him and his Assignes according to the forme of the Statute aforesaid Untill the debt and Costs aforesaid bee thereupon fully Leavyed, and that in what Manner hee should Execute the same writ that hee should make it appeare here the Three and Twentyeth day of Novemb^r in the ffifth year of the dominion of the Right hono^{ble} Charles Lord Baltimore &c Annoq̃ Domini 1680, and that hee should have here the same writt

p. 288

On w^{ch} said Three and Twentyeth day of Novemb^r William Boarman sheriffe of the County aforesaid made Returne of the writ aforesaid by an Inquisicon thereunto annexed w^{ch} ffollowes in these words: Viz

An Inquisicon Indented taken at St Georges hundred in st Maryes County the Twentyeth day of Novemb^r in the ffifth year of the dominion of the Right hono^{ble} Charles Lord Baron of Baltimore &c Annoq̃ Dominj 1680 Before me William Boarman Sheriffe of S^t Maryes County, By vertue of a Certaine writ of Elegit of the Right hono^{ble} the Lord prop^{ry} to mee directed and to this Inquisicon annexed, By the oathes of Marmaduke Seme ffrancis Hill Peter Watts, ffrancis Cole John Cheverell, Philip Lewen Robert Crane, Robert Jones John Worth William Harper Emanⁿ Ratliffe & Simon Spratling All of S^t Maryes County who say Upon their oathes That the said Henry Hull in the writ aforesaid Named and in the Same indebted Dyed Seized in ffee of one plantacon Called Gardners purchase Lyeing in S^t Georges hundred in west S^t Maryes Manno^r in s^t Maryes County seaventy ffive Acres. fifty acres the said Hull dyed in possession of Together wth a small Orchard. the other ffive and Twenty Acres onely a Revercon after the Expiracon of a Lease of ffifteene yeares yet to Come, & that att the day of the date of the Judgment obtained in the writt aforesaid the fifty Acres and the said

Orchard was in the hands and posession of John Addison and Rebecca his wife Ex^{ix} of Thomas Dent deceased Ex^{rs} of the said Hull, and that the said ffifty Acres wth the Orchard aforesaid are of the Cleare yearely Vallue of ffoure hundred pounds of Tobacco p Annum besides all Reprizealls the one half thereof being the Cleare yearely Vallue of Two hundred pounds of Tobacco beyond all Reprizalles, I the said sheriffe have Caused to bee delivered unto the said John Patty in the writt aforesaid Named To hold to him and his Assignes according to the forme of the statute in that Case made and Provided as his ffree Tenement untill the debt and damages in the writt aforesaid Mentioned is fully Leavyed as by the writt aforesaid I am Required, and the Juro^{rs} aforesaid Upon their oathes doe further say That the [said] Henry Hull had not any other Lands and Tenements goods & chattles in the hands of the said Executors at the time of the Judgment afores^d obtained in the said County of S^t Maryes aforesaid to their Knowledge **In witnesse** whereof aswell the Sheriffe aforesaid as the Juro^{rs} afores^d to this Inquisi^{co}n aforesaid have putt our hands & seales the day and Yeare and place abovesaid. p. 289

Marmaduke Semme	(sealed)	Robert Crane	(sealed)
ffrancis Hill	(sealed)	Robert Jones	(sealed)
Peter Watts	(sealed)	Jn ^o Worth	(sealed)
ffrancis Cole	(sealed)	W ^m Harper	(sealed)
Jn ^o Cheverell	(sealed)	Eman ^{ll} Ratliffe	(sealed)
Philip Lewen	(sealed)	Simon Spratling	(sealed)

Afterwards to witt the ffoure and Twentyeth day of November in y^e ffifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Anno^q Dominj 1680 Itt is granted by the Court here that the said John Patty hold the said ffifty acres of Land and Orchard in the said Inquisi^{co}n menconed as his free hold to him and his Assignes dureing the Terme of Twenty yeares fully to bee Compleate and Ended for payment & satisfac^{co}n of the debt and Costs aforesaid

Thomas Tasker plt Lessee to Thomas	} Ejectment
Cosden ffather in Lawe & Guardian of	
William Brooke	
ag ^t	} Itt is ordered by the
John Broome	
	Court by the Consent of
	George Parker Attorney

for the plt, and Kenelm Cheseldyn gentl Attorney for Thomas Medley of S^t Maryes County plant^r That the sd Thomas Medley bee Admitted deft, who wthout delay shall appeare by his Attorney aforesaid and Receive a Declara^{co}n and plead to it the generall Issue This p^sent ffebruary Court, and at the Tryall the said Thomas Medley

Liber W. C. shall appeare in his owne prop pson or by his Attorney, and shall acknowledge Lease entry and Ejectment or for default Judgment Shall bee Entred against the deft John Broome the casuall Ejecto^r, & further psecucon bee spared agt the said John Broome untill default bee made, And Itt is further Ordered by the Court that the said John Broome shall take noe Advantage against the said deft for his not psecution upon the Tryall Occasioned by the default aforesaid, but that the said Thomas Medley shall pay the plt the Costs to bee Taxed by the Secretary, And It is further ordered that the Lesso^{rs} to the p^{lt} may bee burthened wth the payment of the Costs to the deft w^{ch} shall bee any way Taxed and Adjudged by the Court

p. 290 CR: Walter Smith } In Ejectm^t Richard Smith and Elizabeth his
ag^t } wife and Christopher Baines & Ann his wife
GP: Henry Jowles } Lesso^{rs}

And in the same Cause It was ordered by the Consent of Christopher Rousby Attorney for the plt and George Parker Attorney for Henry Jowles. That the said Henry Jowles should bee admitted deft, and that hee forthwith appeare and Receive a Declaracon and pleade to it the genⁿ Issue, and at the tryall thereupon to bee had the said Henry Jowles shall appeare in his pper person or by his Attorney and shall Confesse Lease Entry & Ejectment or that in default thereof Judgm^t Shall bee Entred against the said deft Daniel philips the casuall Ejecto^r, but all further psecucon against him shall Cease untill the said Henry Jowles shall make default in any of the p^rmisses, And It is further Ordered by the Court by the Consent aforesaid that the said Henry Jowles shall not take any advantage ag^t the plt for not prosecuteing upon The Tryall occasioned by such default but, that the said Henry Jowles shall pay to the plt the Costs by this Court to bee taxed in this Cause, and It is further Ordered that the Lesso^r to the p^{lt} shall bee charged wth the payment of the costs to the deft if any bee adjudged to him

RR: James Mills } In Ejectment Barbara Whitton Adm^x of
ag^t } Thomas Whitton Mother & pchein Amy
RC Richard Whitton } Thomas Whitton Sonn & heire of Thomas
Whitton deceased Lesso^{rs}

And in the same Cause It is ordered by the Consent of Robert Ridgely Attorney for the plt and Robert Carvile Attorney for the said Richard Whitton That the said Richard Whitton shall bee admitted deft, and that hee forthwith appeare & receive a Declaracon & plead to it the generall Issue, and at the Tryall to be thereupon had the said Richard Whitton shall appeare in his proper pson or by his Attorney & shall Confesse lease Entry and Ejectment or that in

default thereof, Judgment shall bee Entred against the said Thomas Russell the Casual Ejecto^r but all further psecu^{co}n against him shall cease untill the said Richard Whitton shall make default in any of the p^rmisses, And It is further ordered by the Court by the Consent aforesaid That the said Richard Whitton shall not take any advantage against the p^t for not psecuteing upon the Tryall occasioned by such default but that the said Richard Whitton shall pay to the p^t the Costs by this Court to bee taxed in this Cawse, And It is further ordered that the lessor to the p^t shall bee Charged wth the payment of the costs to the debt if any bee adjudged to him

Liber W. C.

John Coode } Comand was given to the Sheriffe of S^t Maryes p. 291
 ag^t } County that Whereas John Coode att a Provincia^ll
 Gerrard Slye } Court held here the fourteenth day of May last past
 by the Considera^{co}n of the Justices of the same Court
 in the Name of Justinian Gerrard his Lessee Complaynant hath Recovered against Vincent Mansfeild gent^l his posession of a Certaine Tract or parcell of Land Called, pursimon point Scituate in S^t Maryes County aforesaid being parcell of S^t Clements Manno^r. Beginning att a bounded white oake standing by a small Pointe by a Small Marsh now in the posession of John Tennison neare Wiccocomico River side runing thence East South east Two hundred thirty Six perches to a marked Locust standing on the west side of Mattapany Creeke, thence runing up the said Creeke North North east forty foure perches, Thence west north west Twenty eight perches, Thence North west and by north sixty perches, Thence north fifty six perches, Thence North and by west Twenty foure perches, thence North west Twenty Eight perches to a Marsh, Thence runing up the Marsh west north west sixty perches to a bounded White oake standing neare the head of the Marsh, Thence west & by south One hundred Twenty Eight perches to Wiccocomico River and ffve perches breadth on the North side of the said Lyne the whole length thereof. Thence south south east Sixteene perches, Thence runing downe Wiccocomoco River south and by East ffifty six perches, Thence South south east forty perches to the first bound Tree Containing Laid out and platted for One hundred ninety and foure Acres w^{ch} the said Vincent Mansfeild unjustly Detained from him, Itt was therefore Comanded the said Sheriffe that to him the said John Coode his posession of the aforesaid parcell of Land called Pursimmon pointe Containing One hundred ninety and ffoure acres as aforesaid wthout delay hee Cause to bee had and given, & in what manner hee should Execute that precept that hee Should make it appeare to the Justices here att a Provincia^ll Court to bee held here on the ffifth day of October last past. W^{ch} said ffifth day of October on w^{ch} the said Court should have been held was by his Lopps writts of adjournment Adjourned untill the Three and Twentyeth day of

Liber W. C. November then next Ensueing On w^{ch} said Three and Twentyeth day of November William Boareman gentl Sheriffe of S^t Maryes County aforesaid made Returne of the writt aforesaid That by Vertue thereof hee on the Second day of October One thousand six hundred and Eighty Delivered full and peaceable Possession of the said Land Called pursimmon pointe Lyeing in the said County. And in all things according to the Teno^r of the said Writt:

p. 292 Att a Provinciaall Court held att the City of S^t Maryes the ffifteenth day of ffebruary in the Sixth yeare of the Dominion of The Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj i680 and there Continued untill the Three and Twentyeth day of the same Moneth of February. On w^{ch} said ffifteenth day of February were Present

The Right Hono^{ble} The Lord Proprietary

The hono^{ble} { Philip Calvert Esq^r Chancello^r
Henry Darnall Esq^r
William Stevens Esq^r }

Nic: Painter Ct

John England } Gerrard Slye gentl high Sheriffe of S^t Maryes
ag^t } County was attached to answe^r unto John England
Gerrard Slye } of a plea of Trespas upon the case

And Whereupon the same John England by Robert Ridgely his Attorney Complaineth That whereas one Garret Vanswearingen the third day of June 1676 by his Certaine bill Obligatory sealed wth the seale of the said Garret Did acknowledge himself to bee indebted unto the said Jn^o England. The full & Just Summe of Two thousand ffoure hundred pounds of good sound Marchantable Tobacco and Casque to bee paid by a Certaine time therein Limited, and the said Garret not paying the same according to the Teno^r of the said bill Obligatory, The said John England the seaventeenth day of October 1677 Prosecuted out of y^e Provinciaall Court of this Province by Robert Ridgely his Attorney a Certaine writt of Capias against the said Garret for the summe of Two thousand ffoure hundred pounds of Tobacco, W^{ch} said Garret was upon the same Arrested and to the ac^{on} of the same John for the Two thousand ffoure hundred pounds of Tobacco aforesaid appeared and upon the same ac^{on} It was soe farr proceeded in the same Provinciaall Court That the said John Att a Court held for the said Province the Thirteenth day of June 1678 Att the City of S^t Maryes before The Justices of the same Court Recovered Judgment against the said Garret for Two Thousand Two hundred seaventy six pounds of Tobacco debt. as also the summe of ffive hundred

p. 293 thirty and Six pounds of Tobacco Costs of Suite as by the Records thereof in the same Court Remaining Rela^{on} being thereunto had

may appeare. Whereupon the same John England the Seaventeenth day of October then next by his said Attorney psecuted a Certaine writt of Execucon out of the same Court To the Sheriffe of the County of S^t Maryes Directed against the body of the said Garrat Vanswearingen upon the same Judgment for the same sume of Two thousand Two hundred seaventy six pounds of Tobacco and five hundred thirty six pounds of Tobacco Costs in all the sume of Two thousand Eight hundred and Twelve pounds of Tobacco, and Returneable before the same Justices the fifth day of March then next following, w^{ch} said writt of Execucon against the body of the said Garratt att the suite of the said John England for the said Two Thousand Eight hundred and Twelve pounds of Tobacco hee the said John to the said Gerrard Slye then high sheriffe of S^t Maryes County. the thirteenth day of October Att Bushwood in the said County delivered in forme of Law to bee Executed, By vertue whereof the said sheriffe the body of the said Garratt in Execution for the same debt did take and arrest the Tenth day of Novemb^r then Next following, and him the said Garratt in Execucon und^r his Custody for the same debt and Costs then and there had and Kept, and the s^d Garratt Vanswearingen und^r the Custody of the said Gerrard Slye the then high sheriffe of the said County for the Cause aforesaid in forme aforesaid being, the said Gerrard slye afterwards that is to say the Eleaventh day of November then next following, Hee the said Gerrard being then Sheriffe of the County of s^t Maryes and the said Garret Vanswearingen in his Custody for the Cause afores^d Remaining The said Gerrard him the said Garratt out of his Custody without the Lycence and Contrary to the Will of the said John England (The said John England of his said debt and Costs amounting to Two thousand Eight hundred and Twelve pounds of Tobacco as aforesaid not being satisfyed) Did Suffer freely to goe att Large whether hee would, and the same Gerrard the writt of Execucon to the same Justices att the Citty of s^t Maryes the same fifth day of March did fraudulently returne. That hee had taken the body. but not that hee had him ready as by the same writt hee was Required, by w^{ch} fraudulent and Imperfect Returne of the said late Sheriffe, and the body of the said Garrat not being ready by the said sheriffe to bee delivered in Court as by the same writt hee was Required, The said John England hath absolutely lost his debt and Costs aforesaid against the said Garratt hee haveing been taken by the said sheriffe in Execucon for the same as aforesaid, and by him suffered freely to goe at large as aforesaid, To the damage of the said John England Twenty thousand pounds of Tobacco, and thereupon hee produceth his suite

And the said Gerrard Slye by Christopher Rousby his Attorney cometh & defendeth the force and injury When &c. and prayeth Liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him. The same day is given to the pth likewise

Liber W. C.
p. 294

Att w^{ch} said next Provinciaall Court Came the said partyes by their Attorneys aforesaid, and the said Gerrard Slye by his said Attorney Sayth That hee the said John England his ac^{co}n aforesaid against him the said Gerrard ought not to have because hee saith That heretofore Viz The second day of the Moneth of March in 1678, and before the suing out of the Originall writt of this ac^{co}n hee the said Gerrard being then Sheriffe of s^t Maryes County. and haveing Received a Certaine writt of Execu^{co}n att the suite of the said John England against the body of Garratt Vanswearingen for the sume of Two thousand Eight hundred and Twelve pounds of Tobacco Returnable before the Justices of the Provinciaall Court the fifth day of March aforesaid, And the said Gerrard haveing by vertue of the said writt taken the body of the said Garret Vanswearingen into his Custody In w^{ch} Custody the body of the said Garret did then Remaine, Hee the said Gerrard Slye did the said second day of March 1678 Att the City of s^t Maryes Acquainte and make Knowne unto one Stephen Davies then the Attorney att Large of him the said John England That hee the said Gerrard then had the body of the said Garret Vanswearingen in his Custody By vertue of the said writt of Execu^{co}n att the Suite of the said John England for the said sume of Two thousand Eight hundred and Twelve pounds of Tobacco, and the said Gerrard Slye did then and there propound to the said Stephen Davyes, That if hee the said Stephen for and on behalfe of the said John England would Release and discharge the said Garret Vanswearingen of and from the said Imprissonment and of and from the said debt or sume of Two thousand Eight hundred and Twelve pounds of Tobacco That then hee the said Gerrard Slye would Engage to pay and Satisfy the said sume of Two thousand Eight hundred and Twelve pounds of Tobacco unto the said Stephen Davies for the use and behoofe of the said John England, w^{ch} proposi^{co}n the said Stephen did then like of, & thereupon hee the said Gerrard did assume upon himself to pay the said Stephen for the use aforesaid the Sume of Two thousand Eight hundred & Twelve pounds of Tobacco when thereunto required, And the said Stephen as Attorney of the said John England did then and there give order & direc^{co}ns, to the said Gerrard Slye then Sheriffe as aforesaid to discharge & release the said Gerrat Vanswearingen out of Prisson for the said sume of Two thousand Eight hundred and Twelve pounds of Tobacco at the said suite of the plt, And the said Gerrard Slye further sayth That hee the said Gerrard Did then and there immediatly pay unto the said Stephen in the hand of Emanuel Pitchard then present the Sume of Nine hundred sixty six pounds of Tobacco in part of the said Two thousand Eight hundred and Twelve pounds of Tobacco, and also the s^d Gerrard & the said Stephen did then and there Recon of other accompts betwixt them Whereupon was due to the said Gerrard Slye from the said Stephen

the Quantity of One hundred ninety five pounds of Tobacco, w^{ch} Liber W. C.
said one hundred ninety five pounds of Tobacco hee the said Ger-
rard did also order & allow the said Stephen to Keepe and take
in further Satisfacōn of the said Two thousand Eight hundred p. 295
and Twelve pounds of Tobacco, w^{ch} said Sumes of Nine hundred
sixty six pounds of Tobacco and One hundred ninety five pounds
of Tobacco The said Stephen Attorney of the said John England
did accept of in part of the said Two thousand Eight hundred and
Twelve pounds of Tobacco, And as for the residue of the said sume
of Two thousand Eight hundred and Twelve pounds of Tobacco
(, to witt) the Sume of One thousand six hundred fifty one pounds of
Tobacco The said Gerrard Sayeth that hee Ever was and still is
Ready to pay the Same according to his said Assumption, without
that hee the said Gerrard any fraudulent retourne of the said writt
of Execution did make All w^{ch} the said Gerrard is Ready to averre
and therefore demands Judgment if hee the said John his action
aforesaid in manner and forme aforesaid against him the said Ger-
rard ought to have,

And the said John England as to the said plea of the said Gerrard
Slye That the said Gerrard Slye the said Garret Vanswearingen did
discharge and release out of prisson for the said sume of Two thou-
sand Eight hundred and twelve pounds of Tobacco upon the Execu-
cōn aforesaid at the suite of the said plantiffe by ord^r & direcons
of the said Stephen Davies Attorney of the same plantiffe above
in barr pleaded sayth that hee by any thing in the same plea alleadged
Ought not to bee barred from haveing his said acōn against the
said Gerrard Slye because hee sayth That the said Gerrard Slye
the said Garret Vanswearingen did not discharge and Release out of
prison for the said sume of Two thousand Eight hundred & Twelve
pounds of Tobacco Upon the Execuōn aforesaid at the suite of the
sd p^t by the ord^r and Direcōn of the said Stephen Davyēs Attorney
of the same plt in manner and forme as the said Gerrard Slye hath
above Alleadged, & this hee prayes may bee Enquired of by the
Country, and the plt also

Therefore Itt is Comanded the Sheriffe of S^t Maryes County that
hee Cause to Come here Twelve &c by whome &c and who Neither &c
to Recognize &c because aswell &c:

Now here att this day to witt the seaventeenth day of ffebruary
in the fifth yeare of the Dominion of the Right Hono^{ble} Charles
Lord Baltemore &c Annoq Dominj 1679 Came the said partyes by
their Attorneys aforesaid, and y^e Juro^{rs} Impannelled being Called
Likewise Came (To witt) Thomas Cosden, Joseph Tilley Marmaduke
Semme, Samuel Holdsworth John King, William Husbands
Thomas Sedwicks, Robert Mason, James Lewis, Thomas Alcock,
John Bouchier & Herman Norton, Who being elected Tryed and
Sworne to say the Truth in the p^rmisses Upon their Oathes doe say,

Liber W. C. That the said Gerrard Slye the said Garrat Vanswearingen Did discharge and release out of prisson for the said sume of Two Thousand Eight hundred and Twelve pounds of Tobacco upon the Execucon aforesaid at the suite of the said John England, by y^e ord^r & direccon of the said Stephen Davies Attorney of the same John England, in manner and forme as the said Gerrard Slye hath above alledged, W^{ch} verdict of the Jurors aforesaid being Read and heard the said John England by his Attorney moved the Court here in arrest of Judgment & prayed day untill the next Provinciaall Court and Itt is granted unto him, The same Day is given to the plantiffe Likewise

p. 296 Afterwards To witt the Eighteenth day of ffebruary in the Sixth year of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 Came the said partyes by their Attorneys aforesaid, and the said John England by his said Attorney sayth That Judgment ought to bee arrested ffor that the plt Declares in a plea of Trespasse on the case against the deft as late Sheriffe of S^t Maryes County for an Escape of Garrat Vanswearingen taken by him upon a Capias ad satisfaciendum at the suite of the p^{lt} for Two thousand Two hundred Seaventy six pounds of Tobacco and ffive hundred thirty six pounds Costs of suite Executed the Tenth of November 1678

The Deft pleads an agreement wth Stephen Davis Attorney of the p^{lt} that hee ingages to pay him the debt and costs and thereupon hee ordered him to discharge the deft, and alledges hee paid him in part thereof Eleaven hundred and Sixty one pounds of Tobacco, and as to sixteen hundred ffifty one pounds of Tobacco residue hee alwayes was & still was ready &c

The plt Replies that the said Gerrard Slye did not discharge the said Garrat Vanswearingen by the order and Direccon of the s^d p^{lt}s Attorney Stephen Davis, and Upon this Issue was taken

(1st) The Judgm^t ought to bee Arrested for that the plt never did prove any such agreement wth the said Stephen Davis, neither by the oath of any person, nor had any thing to pduce under the hand of the said Stephen that the said discharge was by his Order & direction

(2) That if nothing but hand and seale Can discharge hand & seale, nor Nothing but Record Can discharge a Record, this being a Judgm^t and after that Execucon. the same Could not bee discharged but by some Instrument under hand and Seale to order the sheriffe to discharge him, & to order satisfacon to bee acknowledged upon Record, and that not appearing the Jury ought not to have found for the deft, & soe Consequently the Judgment ought to bee Arrested

(3) The Evidence to the p^{lt} swears to a designe of Keeping the p^{lt} out of his debt by giving him his ffees hee owing the said Garrat the Tobacco, w^{ch} is to the greate discouragem^t of Trade in this Province, and this Judgment being found against him by a Verdict of a Jury will bee an absolute barre to him for the Eleaven

hundred Sixty one pounds of Tobacco, w^{ch} hee saith in his plea hee hath paid him, and soe was not in issue before y^e Jury and therefore the said Judgment ought to bee arrested

W^{ch} being read and heard Itt Seemeth to the Justices here that the reasons aforesaid are insufficient in Law to arrest Judgment upon the Verdict of the Juro^{rs} aforesaid, Therefore Itt is Considered that the said John England take nothing by his writt but bee in Mercy for his false Claime thereon, and that the said Gerrard slye may goe from thence without day, and that the said Gerrard slye Doe Recover against the said John England the sume of Twelve hundred & sixteene pounds of Tobacco for his Costs & charges by him about his defence in this behalfe Layd out & Expended, & the s^d Gerard may have thereof Execu^{cion}

Thomas Jones } John England late of S^t Maryes County was attached p. 297
ag^t } to Answer unto Thomas Jones of a plea of Tres-
John England } passe of the case

And Whereupon the said Thomas Jones by Robert Carvile his Attorney sayth that Whereas the said Thomas Jones was in the yeares of our Lord god 1676 & 1677 Agent ffacto^r and Attorney for him the said John England in this Province, Hee the said Thomas did in the same yeares pay and disburse ffor him the said John England to Severall psons hereafter named the seaverall sumes hereafter men^coned (that is to say) To Andrew Whittington Three hundred pounds of Tobacco, To Edmund Lindsey One hundred forty foure pounds of Tobacco to Majo^r Breereton ffoure hundred thirty nine pounds of Tobacco, To M^r Kenelm Cheseldyn Eight hundred pounds of Tobacco, To the same M^r Cheseldyn Twelve hundred Seaventy foure pounds of Tobacco, To M^r Randall Hanson One hundred and Twelve pounds of Tobacco, To the said M^r Cheseldyn more the sume of Eight hundred pounds of Tobacco, To M^r Edmund Beauchampe ffoure hundred pounds of Tobacco, To William Watts six hundred Seaventy five pounds of Tobacco, and the said Thomas Jones did in the same yeares Receive for him the said John England the sume of Nine thousand seaven hundred and one pounds of Tobacco for w^{ch} the said Thomas Jones was by agreement to have and Receive for his sallary after the rate of ffourteene pounds p Cent w^{ch} comes to the sume of Thirteene hundred fifty eight pounds of Tobacco, And the said Thomas Jones did Expend & was att the charges of One Thousand pounds of Tobacco in making seaverall voyages Up the bay and up Potomack River about the occasions of the said John England, and did also pay for the said John England to Majo^r Breereton by a bill of one popes due to the said Thomas Jones and delivered to the s^d Majo^r Breereton for to Receive of him the said Pope the sume of ffive hundred pounds of Tobacco, All w^{ch} said sumes due in the whole amount unto the Sume

Liber W. C. of seaven Thousand Eight hundred and Two pounds of Tobacco, Hee the said John England in Consideraçon thereof Did assume upon himself and to the said Thomas did faithfully pmise That hee the said John the said sume of Seaven thousand Eight hundred & two pounds of Tobacco to him the said Thomas when hee Should bee thereunto requested would well and truly pay and satisfy. Yet Notwithstanding the said John the said sume of seaven thousand Eight hundred and Two pounds of Tobacco to him the said Thomas though often thereunto requested hath not payd or satisfyed, but the same to pay and satisfy hath hitherto denyed and still doth denye & refuse to pay the same To the Damage of the said Thomas ffourteene thousand pounds of Tobacco and thereupon hee brings his suite,

And the said John England by Robert Ridgely his Attorney Cometh and Defendeth the force and Injury when &c and prayeth Liberty to imparle hereunto untill next Provinciaall Court and It is granted unto him the same day is given to the plantiffe Likewise

Now here att this day to witt the one and Twentyeth day of ffebruary in the sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 Came aswell the said Thomas Jones as the said Jn^e England by their Attorneys aforesaid, And the said John England by his said Attorney saith that hee
 p. 298 Did not Assume & pmise in manner & forme as the said Thomas Jones above against him hath Complained, and of this hee puts himself upon the Country, and the plt also: Whereupon the sd plt refuseth to make any further prosecuçon against the said deft in the plea aforesaid Therefore Itt is Considered that the said Thomas Jones take nothing by his writt but bee in mercy for his false plaint thereupon, and the said John England may goe thereof without day & that the said John England Recover against the said Thomas Jones the Sume of Eight hundred ninety two pounds of Tobacco for his Costs and charges by him about his Defence in this behalf Layd out and Expended, and the said John may have thereof Execucon

John England	} Thomas Jones late of Somersett County was attached to answer unto John England of a plea of
ag ^t	
Thomas Jones	} Trespas Upon the case

And Whereupon the said John England by Christopher Rousby his Attorney Complaineth, That Whereas the said John England Liveing and Resideing in the City of Bristoll in the Kingdome of England hath used at seaverall times to adventure and send Divers goods and Marchandizes for Virginia and this Province to purchase Tobacco, aswell upon his pticuler & pper account as in partnership with others, and whereas the said John hath for divers yeares heretofore employed the said deft as his ffacto^r in this Province wth seav^l Cargoes, and hath Joyned in partnership wth the deft and one Thomas Bisse of the City of Bristoll Marchant in a Cargo

to purchase Tobacco in this Province and sent the Same into this Province by the said deft to bee sold for the Joynt accompt of the said John and Thomas Jones and the said Thomas Bisse Upon which Negatiacons of the said Defts for the said plt there did arise seaverrall differences and Law suites betweene the said plt and the said Deft in Bristoll aforesaid, and thereupon the said plt and deft in Bristoll aforesaid the third day of August 1676 by Mediacon of ffrriends Came to an end of all differences betweene them & Released and discharged Each other by Release in writeing under their hands and seales bearing date the day and Yeare aforesaid Saveing Excepting and Reserveing alwayes to them and Either of them all such Accompts and Dependences betweene them the said partyes as did Concerne their Virginia and Maryland Trade in partnershipp as aforesaid Joyntly & equally betweene them and the said Thomas Bisse as by the said Writeing of Release more att Large it doth appeare, And Whereas afterwards (to witt) the Two and Twentieth of September 1677 The said John England Thomas Jones and Thomas Bisse att the City of Bristoll aforesaid did Come to an accompt together of and upon all matters and things that did relate or Concerne to the said partnershipp betweene the said plt and the said Deft and the said Thomas Bisse, and there was found Remaining in the hands of him the said Thomas Jones or in the hands of John Brooke of Dorchester County gentl as Attorney of the said deft by the order & authority of the said deft of the proper Tobacco of the said plt deft and Thomas Bisse in partnershipp as aforesaid the Sume of Twenty nine thousand one hundred & foure pounds of Tobacco, and the said partners haveing soe as aforesaid adjusted their said accounts, and the said plt haveing wth the privity and Consent of the sd Deft purchased of the said Thomas Bisse his third part of the said Twenty nine Thousand one hundred and foure pounds of Tobacco according to the Custome of March^{ts} There appeared to remaine due from the said deft to the said John England for the Two third parts of the said sume of Twenty nine thousand One hundred & foure pounds of Tobacco The sume of Nineteene thousand foure hundred and two pounds and two thirds of a pound of Tobacco, And the said Thomas Jones did then and there give unto him y^e said John England a Certaine writeing und^r the hand of him the said Thomas directed to the said John Brooke his Attorney Whereby hee did acquaint him the s^d Jn^o Brookes that the said Twenty nine Thousand One hundred and foure pounds of Tobacco was in Partnershipp betweene him the said Thomas Jones the said John England and the said Thomas Bisse, and that the said Bisse had Ordered him the said Thomas Jones to pay his the said Bisses third part thereof unto the said John England, & therefore hee the said Thomas Jones Did order him the said John Brookes to pay or Cawse to bee paid to the said John England Two third parts of the said Twenty nine thousand one hundred and foure pounds of To-

Liber W. C. bacco Deducting thereout foure p Cent for sallary of him the said Thomas Jones and Tenn p Cent for Sallary for what the said Brooke should Receive, And the said John England sayth that the said account and the ord^r thereupon from the said Thomas Jones to the said Brookes to pay to the said John England the said Two third parts of the said Twenty nine thousand One hundred & foure pounds of Tobacco as aforesaid was the full & finall End of all differences & accounts betweene the said John England and the said Thomas Jones from the begining of the world to that day, And the said Thomas Jones being upon the aforesaid account soe indebted to the said John England the said sume of Nineteene thousand foure hundred and two pounds and Two thirds of a pound of Tobacco, Did assume upon himself and to the said plt did then and there ffaithfully pmise That hee the said Thomas Jones the said sume of Nineteene Thousand foure hundred and Two pounds and Two thirds of a pound of Tobacco unto the said John England when thereunto Required would well and truely Content and Satisfie, and that the said Thomas would not Contradict or Countermand the aforesaid Ord^r given by him the said Thomas to y^e said John England for the said John Brookes his Attorney to pay to the s^d John England the said Two third parts of the said Twenty nine thousand one hundred and ffoure pounds of Tobacco as aforesaid, Yet the aforesaid Thomas Jones his pmise and assumption Soe as aforesaid made not Regarding but deviseing & fraudulently intending him the said John England of the said Sume of Nineteene thousand ffoure hundred and Two pounds and Two thirds of a pound of Tobacco to deceive & defraud, The said sume of Nineteene thousand foure hundred and Two pounds & and Two thirds of a pound of Tobacco though often thereunto required hath not Contented Satisfyed and payd to the said John England, but the same to pay Altogether refuseth, and the order Soe as aforesaid made for the said John Brookes to pay the said Two third parts of the said Twenty nine thousand one hundred and foure pounds of Tobacco to the said John England as aforesaid hath Contradicted, and the same out of the hands of the same John Brookes to whome it was delivered by the assignes of the said John England did take, and the same did Countermand, and all the Tobacco in the hands of the said John Brookes for & Concerning the Account in ptnershipp aforesaid hee the said deft did Receive and the Same to his owne use did Convert Contrary to his pmise aforesaid To the damage of the said John England Thirty thousand pounds of Tobacco, And thereupon hee bringeth his suite

And the said Thomas Jones by Robert Carvile his Attorney Cometh and defendeth the force and injury when &c and Prayeth Liberty to imparle hereunto untill next Provinciaall Court and Itt is granted unto him the same day is given to the plantiffe also

Now here att this day to witt the one & Twentyeth day of February in the Sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 Came the said partyes by their Attorneys aforesaid and the said Thomas Jones by his said Attorney Sayth That hee did not Assume upon himself or to the said John make such pmise as the said John above against him hath Imposed, and of this hee puts himself upon the Country, and the said p^lt Likewise, Therefore Itt is Comanded the Sheriffe of S^t Maryes County that hee Cause to come here Twelve &c by whome &c, & who Neither &c, To Recognize &c because aswell &c

On w^{ch} said One and Twentyeth day of February in the Yeare aforesaid Came the said partyes by their Attorneys aforesaid, and the Juro^{rs} Impannelled being Called likewise Came (To witt) Richard Lloyd Michael Ashford, W^m Wells John Gray, Edward Abbott. Eman^{ll} Ratliffe, John Evans, John Wynn Edward Morgan John Martindale, John Browne and Henry Morgan Who being elected Tryed and sworn to say the Truth in the p^rmisses Upon their oathes doe say That the said Thomas Jones did assume Upon himself, and to the said John England make such promise as the said John above against him hath Declared, and they assesse the damage of the said John England to sixteen thousand Seaven hundred forty two pounds of Tobacco, Therefore Itt is Considered that the aforesaid John England Recover against the said Thomas Jones aswell the aforesaid Sume of Sixteen thousand seaven hundred forty two pounds of Tobacco Damages by the Juro^{rs} aforesaid in forme aforesaid Assessed as also the sume of Eleaven hundred eighty six pounds of Tobacco Costs of Suite And the debt in Mercy &c

John Richardson	{	William Dare late of Cecill County March ^t Adm ^r
ag ^t		of y ^e goods & Chattles of John Parker dec ^d
W ^m Dare Adm ^r of		otherwise called Jn ^o Parker English March ^t was
John Parker	{	Sumoned to answare unto Jn ^o Richardson in a
		plea that hee Render unto him ffive thousand one

hundred & fifty pounds of Tobacco w^{ch} from him hee unjustly deteines

And Whereupon the said John Richardson by Christopher Rousby his Attorney sayth That Whereas the said John Parker by the name of John Parker English Marchant the Twelfth day of June 1670 by his Certaine writeing obligatory sealed wth the seale of him the said John Parker here in Court pduced whose date is the same day and yeare above written did acknowledge himself to bee holden and firmly bound unto the sd John Richardson in the Just Quantity of ffive thousand one hundred and ffifty pounds of Tobacco To bee paid to the said John Richardson his heirs Ex^r Adm^r or Assignes att some Convenient place in Talbot County att or before the Tenth day of October next Ensueing the date thereof To w^{ch} payment

Liber W. C. well and truly to bee made the sd John Parker did bind himself his heirs Executo^{rs} Adm^{rs} or assignes, Yet the said John Parker in his life time or the said William Dare to whom Adm^{con} of all and singuler the goods and Chattles w^{ch} were of the said John Parker at the time of his Death since his death have been Comitted, The said sume of five thousand One hundred and ffifty pounds of Tobacco unto him the said John Richardson have not paid, but the same to pay have refused, and the said William Dare doth still altogether refuse Whereupon the said John Richardson Sayth hee is the worse and hath losse to the Vallue of Tenn thousand pounds of Tobacco and thereupon hee bringeth his Suite

And the said William Dare by Robert Ridgely his Attorney Cometh & defendeth the force and injury when &c and prayeth Liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him the same day is given to the plantiffe also

Now here att this day to witt the Nineteenth day of ffebruary in the Sixth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 Came the said partyes by their Attorneys aforesaid and the said William Dare by his said Attorney Sayth That the said John Richardson his action aforesaid against him ought not to have, because hee sayth that the said John Parker in his life time the said ffive thousand One hundred and fifty pounds of Tobacco to him the said John Richardson according to the Teno^r of the said writeing obligatory did pay and satisfy according to the forme and effect of the writeing obligatory aforesaid, That is to say att Talbot County aforesaid, and this hee is Ready to averre Whereupon hee demands Judgment whether the said plt his accon aforesaid against him ought to have

And the said John sayth as aforesaid That the said John Parker did not pay the said ffive thousand One hundred and fifty pounds of Tobacco to the said John Richardson soe as above alledged and this hee desires may bee Enquired of by the Country, Therefore Itt is Comanded the Sheriffe of S^t Maryes County that hee Cause to come here Twelve &c by whome &c. and who neither &c to Recognize &c because aswell &c:

On w^{ch} said nineteenth day of ffebruary in the yeare aforesaid Came the said parties by their Attorneys aforesaid, and the Juro^{rs} impannelled being Called likewise Came To witt, Bartholomew Ennalls Anthony Dawson, Thomas Hinton Simon Spratling, William Harper, John Powell, George Powell, William Harris Thomas Waughopp, William Reede, Elias Nuthall, & John Bailey, who being Elected Tryed and Sworne to say the truth in the p^rmisses Upon their oathes doe say. That the said John Parker in his life time did pay the said sume of five thousand one hundred and fifty pounds of Tobacco to the said John Richardson according to the Teno^r of the said writeing obligatory, Therefore It is Considered That the said

John Richardson take nothing by his writt but bee in mercy for [his] false plaint thereupon, and that the said William Dare may goe from thence without day And that the said William Dare Recover against the said John Richardson the sume of One thousand and Twelve pounds of Tobacco for his Costs and charges by him about his defence in this behalfe Layd out and Expended, And the said William may have thereof Execucon

Liber W.C.
p. 302

John Richardson ag ^t	}	William Dare late of Cecill County Marchant
William Dare Adm ^r of John Parker		Adm ^r of the goods Chattells & Creditts of John Parker Marchant decd was attached to answere unto John Richardson of Dorchester County planter of a plea of Trespasse upon the case

And Whereupon the said John Richardson by Christopher Rousby his Attorney Complayneth That Whereas the said John Parker the third day of March 1671 att the speciall instance and request of him the said John Parker did receive and had of him the said John Richardson by the hands of him the s^d John Richardson Two bills or Specialtyes Whereupon was due to him the s^d John Richardson from the persons hereafter named the seaverall and respective sumes hereafter menconed, To witt from one Richard Bailey by one of the said bills was due to the said John the sume of Nine hundred thirty seven pounds of Tobacco, and by the said other bill was due to the s^d John Richardson from One William King the sume of Twelve hundred pounds of Tobacco To the intent that hee the said John Parker should doe his best Endeavo^r to Receive the said sumes of Tobacco due upon the said bills to the said John Richardson as aforesaid for the use & behoofe of him the said John Richardson and upon Receipt thereof should account for the same to the said John Richardson, the said John Richardson allowing to the said John Parker for his Soe doing the usuall Sallary allowed by Marchants in this Province in the like cases, and in case hee the said John Parker Could not Receive the said Tobacco due as aforesaid by the said bills That then the said John Parker should Returne and Redeliver the said bills in Kinde unto the said John Richardson att or before the Tenth day of June in the yeare of our Lord 1672, And Although hee the said John Richardson alwayes was and yet is ready to allowe usuall Sallary for Receiveing the said Tobacco in case the Same bee Received as aforesaid Yet the said John Parker in his life time or the said William Dare (To whom Adm^rcon of all the goods Chattles and Credits of him the said John Parker was by the Hon^{ble} Philip Calvert Esq^r Comissary Gen^l in this Province of Maryland Und^r the Right Hon^{ble} the Lord Prop^ry thereof) Comitted, since the death of the said John Parker an Accompt of the said seavⁿ sumes of Tobacco unto the said John Richardson have not

Liber W. C. rendred, nor the said bills in kind have Returned or either of them
 hath Returned to the said John Richardson though often thereunto
 p. 303 Required, Whereby the said John Richardson is utterly disabled
 to Recover the aforesaid debts or either of them To the Damage
 of the said John Richardson Three Thousand ffive hundred pounds
 of Tobacco, & thereupon hee brings his suite

And the said W^m Dare by Robert Ridgely his Attorney Cometh
 and defendeth the force and injury when &c and prayeth Liberty
 to imparle hereunto untill next Provinciaall Court and it is granted
 unto him, the same day is given to the plt also.

Now here att this day to witt the Nineteenth day of ffebruary
 in the Sixth yeare of the Dominion of the Right hono^{ble} Charles
 Lord Baltemore &c Anno Dominj 1680 Came the said partyes by
 their Attorneys aforesaid and the said William Dare by his said
 Attorney sayth That the said John Richardson his accon aforesaid
 against him ought not to have, because hee sayth that the said John
 Parker in his life time, the said John Richardson One thousand nine
 hundred twenty and foure pounds of Tobacco in full satisfaccon
 of the said bills in the sd Declaracon menconed did pay and Satisfy
 To witt at Talbott County the Tenth day of Aprill 1672 w^{ch} with
 Two hundred and thirteen pounds of Tobacco to bee allowed the
 said John Parker for sallary for receiveing the same Amounteth to
 the Summe of Two Thousand One hundred thirty seaven pounds of
 Tobacco in the sd Declaracon mentioned and this hee is Ready to
 averre Whereupon hee demands Judgment whether the said plt his
 accon aforesaid against him ought to have

Whereupon the said plantiffe Refuseth to make any further psecu-
 con agt the said deft in the plea aforesaid. Therefore Itt is Con-
 sidered that the said John Richardson take nothing by his writt
 but bee in mercy for his false plaint thereupon, and that the said
 William Dare doe goe thereof without day, and also that the said
 William Dare doe Recover against the said John Richardson the
 summe of Eight hundred ninety two pounds of Tobacco for his Costs
 and charges by him about his defence in this behalfe Laid out &
 Expended and the said William may have thereof Execution

John Richardson	}	William Dare late of Cecill County Adm ^r of
ag ^t		John Parker Marchant deceased was attached
William Dare Adm ^r		to Answer unto John Richardson of a plea
of John Parker	}	of Trespasse upon the Case

And Whereupon said John Richardson by
 Christopher Rousby his Attorney Complayneth That Whereas the
 said John Richardson Did heretofore (to witt) from the nineteeneth
 day of May 1670 untill the Two and Twentyeth day of ffebruary
 in the same yeare Exercise and use the Trade or Calling of an
 Ordinary Keeper in Talbott County in this Province, and One Cer-

taine Inn, Ordinary, or house of accomodacon in Talbot County aforesaid did Keepe, And whereas the said John Parker att the speciall instance and Request of him the said Jn^o Parker at divers dayes and times within the space and Compasse of the said time, from the nineteenth of May 1670 untill the Two and Twentyeth of ffebruary in the same yeare bought had and Received by himself and by one John Webster & Jn^o Clements of him the said John Richardson Divers Quantities of Liquors & other accomodacons att the said house or Ordinary of him the said John Richardson & att y^e request of him the said John Parker within the time aforesaid had the help worke & Asistance of Two Servants of the said John Richardsons, The one for the space of Nine dayes the other for Eight dayes time, a pticuler of all w^{ch} accomodacon and work or asistance is here in Court pduced amounting according to the Rates and Vallues thereof to the Sume of One thousand Eight hundred & Six pounds of Tobacco, Hee the said John Parker upon the said Two & Twentyeth day of ffebruary 1670 Did in Consideracon thereof assume upon himself and to the said John Richardson did faithfully pmise That hee the said John Parker the said Sume One thousand Eight hundred and six pounds of Tobacco when thereunto required unto him the said John Richardson would well and truly Content and pay Yet the said John Parker his pmise & assumption aforesaid Little regarding but plotting and Contriveing him the Said John Richardson of the said One thousand Eight hundred and Six pounds of Tobacco in that behalfe wholly to defraude, The same One thousand Eight hundred and six pounds of Tobacco in his life time or the said William Dare to whome Adm^{con} of all the goods chattells and Credits of him the said John Parker was by The Hono^{ble} Philip Calvert Esq^r Comissary gent in Maryland und^r the Right hono^{ble} the Lord Prop^{ty} Comitted, unto him the said John Richardson have not payd, but the same to pay have refused, and the said William Dare still doth refuse **Whereupon** the said John Richardson sayth hee is the worse and hath losse to the Vallue of Three Thousand pounds of Tobacco, and thereupon hee bringeth his suite

p. 304

And the said William Dare by Robert Ridgely his Attorney Cometh & Defendeth the force and injury when &c and Prayeth Liberty to imparle hereunto untill the next Provinciaill Court and Itt is granted unto him the same day is given to the plantiffe also.

Now here att this day to witt the Nineteenth day of february in the Sixth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltmore &c Annoq^{ue} Dominj 1680 Cause the said partyes by their Attorneys aforesaid and the said William Dare by his said Attorney Sayth That the said John Richardson his accon aforesaid against him ought not to have, because hee saith that the said John Parker in his life time (to witt) The Tenth day of November 1671 the said John

Liber W. C. Richardson the said Sume of One thousand Eight hundred & six pounds of Tobacco paid and Satisfyed according to his pmise in the said Declaracon mentioned, and this hee is ready to averre, & thereupon demands Judgment whether the said plaintiff his accon aforesaid against him ought to have whereupon the said plantiffe Refuseth to make any further psecucon against the said Defend^r in the plea aforesaid Therefore it is Considered that the said John Richardson take nothing by his writt but bee in mercy for his false plaint thereupon, and that the said William Dare may goe thereof without Day And also that the said William Dare Recover against the said John Richardson the sume of Eight hundred ninety Two pounds of Tobacco for his Costs and Charges by him about his defence in this behalfe Layd out & Expended & the said William may have thereof Execucon

p. 305	1670	John Parker D ^r To John Richardson	† Tobacco
	May 19 th	.... To 6 bowles of punch at 60)	20 th To one
		bowle of punch att 60.....	420
	28 Ditto	To One bowle of punch and 1 pint of burnt	
		Rum to Jn ^o Clement by ord ^r	75
		To M ^r Webster by your Ord ^r 60. To 2	
		bowles of punch 120.....	180
	June 13 ^o	.... To one Bottle of Rum.....	20
		To one Man goeing w th you 9 dayes att	
		20 p day.....	180
	Aug st 17 th	.... To 3 gall of beer and Sugar 60 & 4 Dyets	
		40 to Cap ^t Maning by yo ^r ord ^r	100
		To one Man for bringing over Rich-	
		ard Howards boate that Cap ^t Maning	
		Did borrow by yo ^r order 8 dayes att	160
		20 ^t To 5 p day.....	
	ffeb ^{ry} 17 th	.... To 4 Quarts of beere 20 To 2 pintes of	
		brandy 30	50
		To one po ^{ll} of Beere 10 To 1 pinte brandy	
		& 1 dyet.....	40
		To 1 pint Wine 15 To one pint of burnd	
		brandy 20	35
		To One Dyet.....	10
		To Credits given John Webster by his	
		ord ^r as followeth Viz	
	June 20 th	To one bowle of punch 60 July 30 th To one	
		bowle of punch 60.....	120
	Aug st 17 th	To one gall of Beere & Sugar 30 To 2 dyets	
		20	50
	Septemb ^r 2 ^d	.. To one pint of burnt Rum 50—3 ^o To 2	
		pints of burnt Rum 30.....	45

Octob ^r 8 th	To one pt of burnt Rum 15. 18 th 2 quarts of Mum and Sugar 15	30	Liber W. C.
18 th ditto	To one bowle of brandy punch 80: 20 1 pint of burnd brandy 20	100	
20 th ditto	To one dyet 10: 21 th ½ bowle of brandy punch 40 Dyets is	60	
22 th	To Two q ^{ts} of Beere and sugar 15: 23 th To 7 quarts of Beere & Sugar 52	67	
23 th	To one dyet and Lodging 15: 24 th To 4 q ^{ts} of beere & Sugar 30	44	
24 th	To one Dyet 10, Decemb ^r 18 th To one Dyet 10	20	
Summe Totall is			1806

Edward Pynn } Jonathan Sybrey high Sheriffe of Cecill County
ag^t } was attached to answer unto Edward Pynn in a
Jonathan Sybrey } plea of Trespasse upon the case.

And Whereupon the said Edward Pynn by Christopher Rousby his Attorney Complaineth That Whereas hee the said Edward Pynn att the speciall instance and request of John Carr late Sheriffe of Cecill County dureing the time that hee the said John was Sheriffe there. To witt from the tenth day of August in the yeare of our Lord 1675 untill the Twentyeth day of May in the yeare of our Lord 1676, Had Executed the place & Office of undersheriffe to him the said John in the County aforesaid, & dureing that time had Executed all such writts precepts and Mandates and pformed all such other matters as to the Office of undersheriffe of the said County did belong, ffor w^{ch} paines Labour and Trouble of him the said Edward in and about the p^rmisses Hee the said John Carr did faithfully promise to pay and Satisfy unto him the said Edward Such a sume of Tobacco as the said Edward should reasonably deserve And Whereas afterwards to witt about the Tenth day of June 1676 Hee the said John Carr dyed without makeing any manner of satisfac^on to him the said Edward for his said paines Labour & trouble Leaveing Petronell his wife Ex^{ix} of his Last will and Testament Who afterwards Married with One George Oldfeild of Cecill County aforesaid gentl, And Whereas the said Edward had often Demanded of the said George and Petronell the Sume of Six Thousand pounds of Tobacco w^{ch} hee doth deserve & ought to have for his said paines Labour and Trouble, w^{ch} the said Petronell in her widdowhood and they the said George and Petronell after their Intermarige Utterly refused to pay ffor the Recovery whereof hee the said Edward sued out of the provinciall Court of this province his Lo^{pps} writ of Capias bearing date the ninth day of October 1677 Directed to the above Named Jonathan Sibrey, then

Liber W. C. Sheriffe of Cecill County aforesd Comanding him to take the bodys of them the said George and Petronell and them in safe Custody Keepe soe as to have their said bodyes before his Lopps Justices of the provinciall Court at s^t Maryes the fourth day of December then Next following to answe^r unto the said Edward Pynn In a plea of Trespasse upon the Case, and that he should have there the said writt w^{ch} said writt the said Edward afterwards and before the Returne thereof that is to say the sixteenth day of October 1677 att swann pointe in Cecill County aforesaid unto the said Jonathan then being Sheriffe of the said County delivered in forme of Law to bee Executed, by reason of w^{ch} said writt the said Jonathan afterwards and before the Returne thereof that is to say the five and Twentiyeth day of October aforesaid then and Still being Sheriffe of the County aforesaid The said George Oldfeild and Petronell his wife for the Cawse aforesaid did take and arrest and them the said George and Petronell und^r his Custody then & there had and Kept, and the said George and Petronell being und^r the Custody of the said Jonathan then and Still Sheriffe of the said County of Cecill aforesaid for the Cawse aforesaid in forme aforesaid, The said Jonathan afterwards to witt the said Twenty ffifth day of October afores^d 1677 Then and still being Sheriffe of the County aforesaid, The said George and Petronell out of his Custody wthout the Lycence and Contrary to the Will of the said Edward the said Edward of his said Recompence or sume of Six Thousand pounds of Tobacco not being in any manner satisfyed Did suffer freely to goe at Large whether hee would And the said George and Petronell before the said Justices of his Said Lopps prov^l Court att S^t Maryes aforesaid the said fourth day of Decemb^r according to the effect of the said writt hee had not whereby the said Edward hath not onely lost the benifit of his said suite, but also by the Lurking and Absconding of the said George and Petronell in places to the said Edward unknowne The said debt or Recompence is to the said Edward Totally Lost Whereupon hee sayth hee is the worse & hath Losse to the Vallue of Eight Thousand pounds of Tobacco And thereupon hee brings his suite

And the said Jonathan Sybrey by Robert Ridgely his Attorney Cometh and defendeth the force and injury when &c and prayeth Liberty to imparle hereunto untill next provinciall Court and it is granted unto him the same day is given to the plantiffe alsoe

Now here at this day to witt the nineteenth day of ffebruary in the sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore Annoq Dominj 1680 Came the said partyes by their Attorneys aforesaid and the said Jonathan Sybrey by his said Attorney Sayth That hee is in nothing guilty of the premisses above by the said Edward imposed upon him in manner & forme as the said Edward above against him hath Complained, and of this hee

puts himself upon the Country. and the plantiffe Likewise Therefore Itt is comanded the Sheriffe of St Maryes County that hee Cawse to come here Twelve &c by whome &c and who neither &c To Recognize &c because aswell &c: Liber W. C.

On w^{ch} said Nineteenth day of ffebruary in the yeare aforesaid came the said parties by their Attorneys aforesaid and the Jurors impannelled being called Likewise Came (To witt) Richard ILoyd, Michael Ashford, William Wells, John Gray, Edward Abbott, Eman^{ll} Ratliffe John Evans, John Wynn, Edward Morgan John Martindale, John Browne, & Henry Morgan Who being elected Tryed & sworne to say the truth in the premisses Upon their oathes doe Say That the said Jonathan sybrey is guilty of the p^misses above by the said Edward Pynn imposed upon him in manner and forme as the said Edward above against him hath Complained and the Assesse the Damage of the said Edward to ffive thousand pounds of Tobacco. Therefore Itt is Considered that the said Edward Pynn Recover against the said Jonathan Sybrey aswell the aforesaid Sume of ffive Thousand pounds of Tobacco Damages by the Jurors aforesaid in forme aforesaid assessed as also One Thousand and Twenty pounds of Tobacco costs of suite, and the Defend^t in mercy &c

Jn ^o Taverno ^r & Elizabeth his wife	}	Nicholas Nichols and Hester his wife
ag ^t		Adm ^x of the goods and Chattles of
Nicholas Nichols & Hester his wife	}	William Gough deceased Otherwise
Adm ^x of W ^m Gough		Called William Gough of the County of Calvert in the Province of Maryland were Sumoned to answeare unto

John Taverno^r and Elizabeth his wife of a plea that they Render unto them the sume of Two thousand Two hundred pounds of Tobacco w^{ch} from them they unjustly Detaine

And Whereupon the said John and Elizabeth by Christopher Rousby their Attorney say That Whereas the said William Gough The Twelfth day of May Anno Dom 1678 by his Certaine writeing obligatory Sealed with the Seale of him the said William here in Court produced whose date is the same day and yeare above mentioned Did acknowledge himself to owe and bee indebted unto Elizabeth Cole widdow now wife of the said John Taverno^r Two Thousand two hundred pounds of every way well Condiconed Tobacco in Caske. To bee payed to the said Elizabeth Cole her Ex^{rs} Adm^{rs} or assignes in Charles County in the province aforesaid Att Some Convenient place to the River there, To the w^{ch} payment well and Truly to bee made hee the said William Gough did binde himself his heires Executo^{rs} and Adm^{rs} by those p^rsents Neverthesse the said William Gough in his Life time or the said Hester Adm^{rx} of the goods and Chattles of the said William Since his death and

Liber W. C. while she was Sole, or the said Nicholas Nickols and Hester his wife since their Intermariage. The said Two thousand Two hundred pounds of Tobacco unto her the said Elizabeth Cole in the time
 p. 308 of her widdowhood, or unto them the said John Taverno^r and Elizabeth his wife since their intermarriage though often thereunto required have not paid, but the same to pay have Refused and Still doe refuse Whereupon the said John & Elizabeth say they are the worse and have Losse to the vallue of ffoure thousand pounds of Tobacco And thereupon they bring their Suite

And the said Nicholas Nickolson and Hester his wife by George Parker their Attorney Comes and defends the force and injury when &c and prayeth Liberty to imparle hereunto untill next Provinciall Court and Itt is granted unto him the same Day is given to the plt also:

Now here att this day to witt the Two and Twentyeth day of ffebruary in the sixth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq; Dominj 1680 Came the said ptyes by their Attorney aforesaid, and the said Nicholas Nickols & Hester his wife by their Attorney say, That the said John Taverno^r and Elizabeth his wife their action aforesaid against them the said Nicholas Nichols & Hester his wife ought not to have, for that they have fully administred all the goods and Chattles w^{ch} were of the said William Gough at the time of his death, in their hands to bee administred, and that they have noe goods or Chattles w^{ch} were of the aforesaid Willlam Gough a tthe time of his death in their hands to bee administred of, nor had att the day of the takeing out the Originall writt of the said John Tavernor & Elizabeth his wife nor Ever after, and this they are ready to verifie Whereupon they demand Judgment whether the said John Taverno^r and Elizabeth his wife their Accon aforesaid against them ought to have

And the said John and Elizabeth by their Said Attorney say That for any thing alledged by the said Nicholas & Hester in their aforesaid plea they the Said John and Elizabeth of their accon aforesaid ought not to bee debarred, because they say that they the said Nicholas and Hester have not fully administred all the goods and Chattles w^{ch} were of the said William Gough at the time of his death, and this they desire may bee Enquired of by the Country, and the plan-tiffe also. Therefore Itt is Comanded the Sheriffe of S^t Maryes County that hee cawse to come here Twelve &c by whome &c and who Neither &c To Recognize &c because aswell &c:

On w^{ch} said Two and Twentyeth day of ffebruary in the yeare aforesaid Came the said parties by their Attorneys aforesaid, and the Juro^{rs} impannelled being called Likewise came (to witt) Richard Lloyd Michⁿ Ashford William Wells John Gray Edward Abbot, Emanuell Ratliffe, John Evans John Wynn Edward Morgan, John Martindale, John Browne & Henry Morgan who being elected tried

and Sworne to say the truth in the premisses George Parker Attorney for the debts would not appeare to Receive the verdict of the Juro^{rs} Upon the premisses, Therefore It is Considered that the Said John Taverno^r and Elizabeth his wife Recover against the aforesaid Nicholas Nickols and Hester his wife Administratrix as afores^d the aforesaid Sume of Two thousand Two hundred pounds of Tobacco debt and also Nine hundred seaventy and six pounds of Tobacco Costs of Suite. And the Defts in mercy &c

Liber W. C.

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John Machen	} Gerrard Slye gentl late high Sheriffe of the County
ag ^t	
Gerrard Slye	

Machen Marchant of a plea of Trespasse upon the case

And Whereupon the said John Machen by George Parker his Attorney Complaineth that Whereas one John Sanders late of Bristol Marchant the seaventh day of September in the yeare of our Lord 1676 by his Certaine writeing obligatory was bound and firmly obleiged unto the said John Machen in the sume of ffoure hundred pounds of Currant and Lawfull money of England for the true payment of Two hundred pounds of like Lawfull Money of England, Too bee paid to the said John Machen or to his Exec^{ts} Adm^{ts} or assignes att or upon the Tenth day of Aprill then next Ensueing the date of the said bill Obligatory, And for the true performance thereof the said John Sanders Did thereby binde himself his Executo^{rs} Adm^{ts} and assignes firmly by those p^sents as by the same bill Obligatory more plainly appeareth w^{ch} said Two hundred pounds the said John Sanders did not pay unto the said John Machen on the said Tenth day of Aprill, w^{ch} at or Upon the same day hee ought to have payd him according to the forme and effect of the same bill Obligatory Although hee hath been often thereunto required, Whereby an ac^{on} did accrue unto the said John Machen to require and have of the aforesaid John Sanders ffoure hundred pounds Sterling, and for the more Speedy Recovery of the same ffoure hundred pounds, The said John Machen by George Parker his Attorney the Sixth day of December in the third yeare of his Lo^{pps} Dominion and in the yeare of Our Lord god 1677 Then and Continually afterwards has psecuted out of his Lopps Provincia^l Court of this Province a Certaine writt of Capias of his said Lopp Directed to the then Sheriffe of Charles County, by w^{ch} It was Comanded to him the said then Sheriffe that he should take the aforesaid John Sanders If hee should bee found in his Baliwick and him safe Keepe Soe that hee might have his body before his Lopps Justices of the provincia^l Court to bee held at the City of S^t Maryes the Twelfth day of ffebruary then next to answer unto John Machen of a plea that hee Render unto him the sume of ffoure hundred pounds of Currant and Lawfull Money of England, and that hee

Liber W. C. should have here then that writt To the intent that the said John Machen in the said Provinciaall Court of his Lo^{pps} here might Declare psecute and Recover against the aforesaid John Sanders the debt of ffoure hundred pounds of Sterl aforesaid, w^{ch} said writt of Capias the said John Machen by George Parker his Attorney afterwards & before the Returne of the said writt of Capias, That
 p. 310 is to Say the Eighth day of January 1677 aforesaid in the County of Charles County aforesaid William Chandler gentl then being sheriffe of the said County of Charles County delivered in forme of Law to bee Executed, By reason of w^{ch} said writt of Capias the said William Chandler then being sheriffe of the said County of Charles County, Afterwards to witt the first day of ffebruary in the said third yeare of his Lopps Dominion &c att Portobacco wthin the County aforesaid, The said John Sanders for the Cause aforesaid did take and arrest, and the said John Sanders for the Cause aforesaid in forme aforesaid Hee the said William Chandler then being sheriffe of Charles County aforesaid Afterwards (to witt) the Twelfth day of ffebruary 1677 before his Lopps Justices of his provinciaall Court aforesaid att the City of S^t Maryes aforesaid according to the teno^r of the said writt of Capias then and there had, w^{ch} said Justices of the Provinciaall Court aforesaid, afterwards (to witt) the fourteenth day of the same Moneth of ffebruary in the third yeare of his Lo^{pps} Dominion by Speciall order of the said Court, the said John Sanders did Remand and Comitt to the Custody of the said William Chandler then sheriffe of Charles County aforesaid To bee by him the said William in safe Custody Kept until hee had given Special bayle to answere the aforesaid ac^{on} of the said John Machen for the foure hundred pounds Sterl aforesaid, By vertue of w^{ch} said Order of Court the said William Chandler then Sheriffe of Charles County aforesaid, the said fourteenth day of ffebruary aforesaid the same John Sanders into his hands and Custody did take, and him the same John Sanders By vertue of the same order of Court in the safe Custody of him the said William Chandler att Portobacco aforesaid did detaine and Keepe untill the Ninth day of Aprill 1678, Att w^{ch} said Ninth day of Aprill 1678 His Lo^{pps} said Justices of his Provinciaall Court, att a Court then held for this Province att the City of s^t Maryes aforesaid the aforesaid Speciall order of Court did renew and Continue, By vertue whereof the aforesaid William Chandler then sheriffe as aforesaid the body of the said John sanders in safe Custody Did detaine & Keepe in manner and forme aforesaid untill the Tenth day of June in the yeare of o^r Lord 1678, And Whereas Itt was Comanded by writt of the said Lord Lord Prop^{ty} Issueing out of the said Provinciaall Court to the said then Sheriffe of Charles County dated the Thirteenth day of Aprill 1678 aforesaid, and to the hands of the said William Chandler then Sheriffe of Charles County aforesaid,

delivered the Tenth day of May in the yeare aforesaid, That hee Liber W. C.
 Should take John Sanders and William Wells late of the County
 aforesaid Otherwise Called John Sanders of Charles County in the
 Province of Maryland & W^m Wells of the said County and Province
 Marchant If they should bee found in his Baliwick and them Safe p. 311
 Keepe Soe that hee Should have their bodys before the Justices of
 the said Provinciaall Court to bee held att the Citty of S^t Maryes y^e
 Eleaventh day of June then next To answere unto Richard Perry &
 Thomas Gant of a plea that they should render unto them ffoure
 thousand five hundred and Twenty pounds of Tobacco & Casq w^{ch}
 to them they owe and Unjustly detaine and that hee should have
 then & there the same writt, and the said John Sanders being and
 remaining in the Custody of the said sheriffe of Charles County att
 the Suite of the said John Machen for the said ffoure hundred
 pounds Sterl untill hee should pcure Speciall bayle as aforesaid,
 The said then Sheriffe the aforesaid writt of Capias att the Suite of
 the said Richard Perry and Thomas Gaunt for the said sume of
 ffoure thousand five hundred & Twenty pounds of Tobacco Upon
 the body of the said John Sanders in the Custody of the said
 Sheriffe aforesaid Remaining The Tenth day of May aforesaid did
 serve and Execute, By vertue whereof and in obedience to the writt
 aforesaid the said William Chandler then Sheriffe of Charles County
 aforesaid the said John Sanders his Prison^r aforesaid att the suite
 of the said John Machen for ffoure hundred pounds aforesaid, and
 also att the suite of the said Perry and Gaunt for ffoure Thousand
 five hundred and Twenty pounds of Tobacco aforesaid into the
 Custody of Roger ffowke one of his Deputyes Sheriffe of the same
 County att Portobacco in Charles County aforesaid the ninth day of
 June in the yeare aforesaid Did deliver, wth order to Guard and
 attend the said John sanders from Portobacco in the County afore-
 said to the Citty of S^t Maryes aforesaid soe that hee might have him
 att the Citty of S^t Maryes aforesaid the Eleaventh day of June
 aforesaid To answere Richard Perry and Thomas Gaunt aforesaid
 Of and upon the p^misses aforesaid according as by the writt of
 the said Lord Prop^{ty} before recited att the suite of the said Perry
 and Gaunt hee was Comanded In pursuance whereof the said Roger
 ffowke him the said John Sanders, charged and burthened with the
 debts aforesaid The day and yeare aforesaid att Portobacco afore-
 said unto his Custody aforesaid from the said William Chandler
 then Sheriffe of Charles County as aforesaid did receive and take,
 and the said Roger ffowke him the said John Sanders from Porto-
 bacco aforesaid in obedience to the writt aforesaid, to the Citty of
 S^t Maryes aforesaid Did Conduct & bring on the Tenth day of
 June aforesaid Soe that hee might have his body before the Justices
 of the provinciaall Court aforesaid the Eleaventh day of the same
 June, att the Citty of S^t Maryes aforesaid To answere unto the said

Liber W. C. Richard Perry and Thomas Gaunt for the Cawse aforesaid, w^{ch} said Citty of S^t Maryes aforesaid was within the Baliwick of the said Gerrard Slye as hee was sheriffe of the County of S^t Maryes aforesaid, The said Gerrard Slye att the Citty of S^t Maryes aforesaid the same Tenth day of June in the yeare aforesaid him the said John Sanders out of the Custody of him the said Roger fflowke Deputy of the said William Chandler and Keeper of the said John sanders did force and take and Rescue und^r p^tence of a Certaine writt against the said John Sanders to the said Gerard Slye then
p. 312 Sheriffe of S^t Maryes County Directed att the Suite of Thomas Simpson for the sume of ffoure thousand Eight hundred Twenty three pounds of Tobacco, The said John Machen in fact Sayth, That the said Gerrard Slye takeing forceing and Rescueing the said John sanders out of the Custody of the said Roger as aforesaid, became charged and burthened with the Keeping & detaining the said John Sanders for the debt of the said John Machen for the said sume of ffoure hundred pounds Sterl due from the said John Sanders to the said John Machen as aforesaid, and for w^{ch} hee was in Custody untill hee Should give Special bayle as aforesaid, according to the order of the Court aforesaid, and the said Gerard Slye high sheriffe of S^t Maryes County aforesaid, him the said John Sanders into his safe Custody did take, and had, in S^t Maryes Citty aforesaid, and him Detained untill the Twelfth day of the Same June, burthened, and charged, as aforesaid, w^{ch} said Twelfth day of June in the yeare aforesaid, The said Justices of the said Provinciaall Court, Ordered that the said John Should bee Remanded to the sheriffe of Charles County aforesaid, who by the said Order was to have the body of the said John Sanders att the next Provinciaall Court, By vertue of w^{ch} Order the said Gerrard, the body of the said John Sanders to the said Sheriffe of Charles County or his Deputy should have delivered wth the Order aforesaid, whereby It might appeare that hee the said John Sanders was still burthened wth the ffoure hundred pounds Sterl to the said John Machen due as aforesaid, and the action at the suite of perry and Gaunt aforesaid, And the said John Machen further sayth That the said Twelfth day of June in the yeare afores^d att the Citty of S^t Maryes aforesaid, hee the said Gerard being Still sheriffe of S^t Maryes County aforesaid, and the said John Sanders being then and there in his the said Gerrard Slys Custody as aforesaid Hee the said Gerard did Voluntarily Suffer him the said John sanders to goe att Large and make his Escape forth of the said Custody of him the said Gerrard Slye, wthout the Knowledge Lycence or Consent of him the said John Machen, hee the said John Sanders not haveing paid the said debt of ffoure hundred pounds Sterl, or produced or given Speciall bayle to answere the aforesaid accon of him the said John Machen according to the Teno^r forme and effect of the aforesaid speciall Order of Court

Now Remaining upon Record in the Secretaryes Office of this province, By reason whereof the said John Machen not onely of his ac^{co}n aforesaid against him the said Jn^o Sanders is altogether frustrated and Disappointed, but also by skulking and obsconding of him the said John Sanders in places unknowne occasioned by the Escape aforesaid Soe permitted by the said Gerrard Slye then sheriffe of S^t Maryes County aforesaid, Hee the said John Machen is Utterly defeated of his debt aforesaid, and totally disabled to Recover the same of him the said John Sanders Whereupon hee sayth hee is the worse & hath Damage to the vallue of ffive hundred pounds Sterling, and thereupon hee brings his suite

Liber W. C.

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And Whereupon the said Gerard Slye by Christopher Rousby his Attorney Cometh and defendeth the force and injury when &c and Prayeth Liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him the same day is given to the plantiffe likewise

Now here att this day to witt the Two and Twentyeth day of ffebruary in the sixth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq^{ue} Domini 1680 Came the said parties by their Attorneys aforesaid, and the said Gerrard Slye by his said Attorney sayth That hee y^e said John Machen his ac^{co}n aforesaid against him the said Gerrard ought not to have, because hee sayth that at the time of the supposed takeing forceing and Rescuing of the body of the said John Sanders out of the Custody Of the said supposed Deputy of the said Sheriffe of Charles County and Keeper of the said Jn^o Sanders To witt the said Tenth day of June 1678. and for divers Moneths before & after Hee the said Gerrard Slye was high Sheriffe of the said County of S^t Maryes, And by vertue of a Certaine writt of Capias of the Right hono^{ble} the Lord Prop^{ty} Issueing out of the Provinciaall Court of this Province at the suite of Thomas Simpson To him the said Sheriffe of S^t Maryes County directed Comanding him to take the body of the said John Sanders If found within his baliwick and him safely Keepe soe as hee might have his body before the Justices of the said provincial Court att a Court to bee held att the City of S^t Marys the said Eleaventh day of June 1678 To answeare unto the said Thomas Simpson in a plea that hee should render unto him the sume of ffoure thousand Eight hundred Twenty three pounds of Tobacco w^{ch} to him hee did owe and unjustly detaine, Hee the said Gerrard Slye did then Comand his Knowne & Sworne Officer Sam^l Dobson to Execute the same writt according to the Teno^r thereof, Who accordingly the said Tenth day of June 1678 finding the said John Sanders within his Baliwick To witt in S^t Maryes open ffeilds w^{thin} the said County of S^t Maryes in Company of one Roger fflowkes The same Roger being noe Knowne and Sworne Officer of the said sheriffe of Charles County, nor had and shewed any Legall writt of

Liber W. C. the Right hono^{ble} the Lord Prop^{ty} w^{ch} might authorize him the said Roger fflowkes as Deputy of the said Sheriffe of Charles County to bring downe the body of the said John Sanders out of Charles County and to detaine him a Prisoner in st Maryes County, and wthout w^{ch} hee Could have noe sufficient warrant to bring downe the said Sanders from Charles County and detaine him a Prisoner in s^t Maryes County in manner and forme as is sett forth in the said Declara^{con} Nor did the said Roger fflowkes Ever claime the said John Sanders as his Prisoner, nor any wayes signified Declared or made Knowne to the said Sam^{ll} Dobson that hee the said Roger was or p^ttended to bee the Keeper of the said John Sanders, or that hee the said Roger was any way Charged wth y^e Custody of the said John Sanders at the suite of the said John Machen or of any other pson whatsoever, Nor did hee the said Roger fflowkes Ever charge

p. 314 the said Sam^{ll} Dobson wth the said John Sanders as being a Prisoner at the suite of the said John Machen or of any other person whatsoever, All w^{ch} the said Roger if hee had been Legally authorized by writt & Duely Quallified by warrant from the said sheriffe of Charles County (which hee was not) Hee ought to have done, Otherwise it was not possible for the said Sheriffe of S^t Maryes County or his Deputy (hee the said Roger being a stranger and out of the Baliwick of the Sheriffe of Charles County and within the baliwick of the said Gerrard Slye) to take Cognizance of the same, Nor were they the said sheriffe of S^t Maryes County or his Deputy or either of them by the Law of the Land obliged soe to doe, Hee the said Sam^{ll} Dobson Knowne and sworne Officer of the said Gerrard Slye Did at the time and place aforesaid as it was Lawfull for him to doe, and w^{ch} hee Could in noe wise omitt without breach of his oath and without perill of the said Gerrard Slye being sued by the said Thomas Simpson for an escape, Take and arrest the body of the said John Sanders att the suite of the s^d Thomas Simpson according to the Teno^r of the said writt, and the said Gerrard Slye sheriffe of S^t Maryes County as aforesaid By reason thereof upon the same writt the said Eleaventh day of June 1678 did indorse and Returne unto the said Court a Cæpi Corpus, and had the body of the said Sanders ready to produce to the said Court the same day, but the said Gerrard Slye then sheriffe of S^t Maryes County aforesaid not being Called by the said Court the said Eleaventh day of June 1678 aforesaid to bring in the body of the said John Sanders into Court hee the said Gerrard Slye by vertue of the said writt the said John Sanders in safe Custody did Keepe untill the said Twelfth day of June 1678 aforesaid, att w^{ch} time the said Gerrard was by the said Court Comanded to bring forth the body of the said John Sanders according to the Teno^r of the said writt at the suite of the said Thomas Simpson And thereupon the said Gerrard did then and there produce the body of the said John Sanders and the same

Liber W. C.

Deliver unto the same Court To Answer unto the said Thomas Simpson of the said plea of debt as by the said writt hee was Comanded, w^{ch} said John sanders did then imediately in open Court aforesaid Confesse Judgment to the Said Thomas Simpson for the debt aforesaid with Costs of suite, and the Same John Sanders became Legally discharged from the Custody of the said Gerrard slye who was not bound by the Law of the Land to Detaine the said John Sanders in Custody for the said Pretended debt of ffoure hundred pounds Sterl supposed to bee due from the said John Sanders to the said John Machen, Nor to deliver the body of the said John Sanders Together with the order of Court Menconed in the said Declaracon to bee made by the said Court the said Twelfth day of June 1678 aforesaid unto the said sheriffe of Charles County or his Deputy As by the plts said Declaracon is falsly suggested w^{ch} said Arrest of the said John Sanders within the County of St Marys by the said Sam^l Dobson a sworne and Knowne Deputy and officer of the said Gerrard Slye Sheriffe of St Maryes County as aforesaid By vertue of the writt aforesaid at the suite of the said Thomas Simpson, and the detaining of the said John Sanders thereupon, and the said Produceing and Delivery of the said John Sanders into Court in pursueance and obedience of the said p^rcept and the not Detaining of the Said John Sanders in Custody of him the said Gerrard Slye after hee the said John Sanders had Confessed Judgment to the said Thomas Simpson as aforesaid, Is the forceing taking & rescuing & Voluntary suffering to go at large & Escape mentioned in the said plantiffes Said Declaracon All w^{ch} the said Gerard Slye is Ready to averre & Prayes Judgment &c And if the said John Machen his accon aforesaid against him the said Gerard ought to have

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And the said plt by his said Attorney sayth that hee the said Plantiffe from haveing his accon aforesaid against him the said Gerrard ought not to bee barred, because hee sayth That the said Gerrard Slye the same Tenth day of June in the yeare aforesaid att the City of St Maryes aforesaid the said John Sanders Out of the Custody of the said Roger ffowkes Deputy of the Said William Chandler and Keeper of the said John Sanders Knowing to bee Prisson^r of the said William Chandler at the suite of the said plantiffe Did fforce take and Rescue, by reason whereof the same Gerard became Charged & burthened wth the Keeping and Detaining the said John Sanders for the debt of the same John Machen for the sume of ffoure hundred pounds Sterl Due from the said John Sanders to the said John Machen as aforesaid, and for w^{ch} hee was in Custody untill hee should have given Speciall Bayle as Aforesaid according to the Ord^r of Court aforesaid, and that the said Gerard slye the Twelfth day of June aforesaid The said John Sanders did Voluntarily suffer to goe att Large and make his Escape out of the Custody of the said Gerrard in manner and forme as the said John

Liber W. C. above against him hath Complained, and this hee prayeth may bee Enquired of by the Country

And The said deft sayth That for any thing before alledged the plt ought not to maintaine his ac^{on} because protesting that the said defendant did not Knowingly force take and Rescue the body of the said John Sanders out of the Custody of the said William Chandler as is above alledged, and for plea sayth That the said Sanders by occasion of the takeing and detaineing of him by the said Slye By vertue of the writt aforesaid to him directed was in noe wayes in this defts Custody at the suite of the plantiffe, and this hee is Ready to averre and puts himself Upon the Country

Whereupon The said Gerrard Slye by his Attorney aforesaid informed this Court that the said John Machen is a fforeigner, and moved the Court for Speciall Bayle for Costs of suite If the said John Machen should bee Cast or Nonsuited in this Cawse w^{ch} the p^{ts} Attorney refused to give, Itt is therefore Considered That the said Jn^o Machen take nothing by his writt but bee in mercy for his
 p. 316 false plaint thereon And that the said Gerard Slye may goe thereof without day And that the said Gerard Slye Recover against the said John Machen the sume of _____ pounds of Tobacco for his Costs and charges by him about his Defence in this behalfe Laid out and Expended

Lydia Solley	} Memorandum that the six and Twentyeth day of
ag ^t	
Collen Mackensy	} ffebruary in the ffifth yeare of the Dominion of
	} Charles Absolute Lord and Prop ^{ry} of the Prov-
	inces of Maryland and Avalon Lord Baron of
	Baltimore &c and in the yeare of our Lord 1679 Came Lydia Solley
	by Robert Ridgely her Attorney before Philip Calvert Esq ^r Chan-
	cello ^r of this province and prayed his Lopps writt of Erro ^r to her the
	said Lidia Solley to bee granted To the Justices Of his Lops County
	Court of S ^t Maryes County to bee directed, To Require them the
	said Justices of the said County Court of S ^t Maryes County to send
	before his Justices of the said Lopps Provinciall Court the Teno ^r
	of the Record proceedings and Judgment of the said County Court
	of S ^t Maryes County in a Cause lately there depending betweene one
	Certaine Lydia Solley plt and Collen Mackensy defendant in a plea
	that hee Render and pay unto her Seaven hundred thirty Seaven
	pounds of Tobacco w ^{ch} hee oweth and unjustly detaineth, and Itt is
	granted to her The Teno ^r whereof ffolloweth in these words

Charles Absolute Lord and Prop^{ry} of the Provinces of Maryland & Avalon Lord Baron of Baltimore &c To our Comission^{rs} of our County of S^t Maryes County greeting, because in the Record and processe as also in the Rendring of Judgment before you in our said County Court of S^t Maryes County against Lydia Solley in a Cause lately there depending before you betweene the said Lydia

Solley, against Collen Mackensy, Manifest Erro^r happened to the greate damage of the said Lydia Solley as by the greate Complaint of the said Lydia Wee have Received. Wee willing that the Erro^{rs} if any bee should in due manner bee Corected, and full & speedy Justice to bee done to the said partyes in this behalfe. Doe Comand you that the Record and processe of the said Judgment wth all things touching the same, before o^r Justices of our Provinciaall Court to bee held att o^r Citty of S^t Maryes the eleaventh day of May next und^r yo^r hands and seales distinctly and openly you send; that inspec^on being had of the Record and proceedings, Wee may Cause further to bee done what of Right and according to the Lawes and Constituc^ons of this our province ought to bee Done therein, and that you have there this writt Witnesse our self att our Citty of S^t Maryes the six and Twentyeth day of ffebruary in the ffifth yeare of our Dominion &c Annoq Dominj 1679

Att w^{ch} said Eleaventh day of May Came aswell the said Lydia Solley by Robert Ridgely her Attorney as the said Collen Mackensy by Robert Carvile his Attorney, and the Justices of S^t Maryes County Court (to witt) Gerrard Slye William Hatton Clement Hill, & Joshua Doyne, The Transcript of the Record of the proceedings of S^t Maryes County To the Justices of the Provinciaall Court here under their hands and seales have sent. The Teno^r whereof ffolloweth in These words: p. 317

Att a Court held att Newtowne for the Right hono^{ble} The Lord Prop^{ty} & for the County of S^t Maryes, On the fourth day of September Annoq Dominj 1679

p ^r sent	Cap ^t Gerrard Slye M ^r W ^m Hatton	} { M ^r Joshua Doyne M ^r Richard Gardner M ^r William Boareman	} Comission ^{rs}

Lydia Solley plt Collen Mackensy Deft	} S ^t Maryes County ss:

Collen Mackensy was attached to answere unto Lydia Solley widdow of a plea that hee Render and pay unto her Seaven hundred thirty seaven pounds of Tobacco w^{ch} hee oweth and unjustly detaineth

Whereupon the said Lydia Solley by Edmond Dennis her Attorney Sayth That Whereas the said Collen upon the first day of June Anno 1676, by his Certaine bill in writeing w^{ch} by him signed sealed and as his acts and deed delivered is here in Court produced whose date is the day and yeare aforesaid, Did acknowledge To owe and stand Justly indebted unto the said Lydia the full and Just Quantity of Seaven hundred thirty Seaven pounds of good Sound Marchantable Tobacco & Casq To bee payd to the said Lydia Solley or to her Certaine Attorney heires Ex^{ts} Adm^{rs} or assignes att his then Dwelling house in S^t Clements bay att or upon the Tenth day of October w^{ch} should bee in the yeare of our Lord 1677 To w^{ch} pay-

Liber W. C. ment well and truely to bee made and done the said Collen bound himself his heires Ex^{rs} and Adm^{rs} firmly by the said bill, and the said Lydia in ffact sayth That the said Tenth day of Octob 1677 is Long since Elapsed and gone, But the said Collen the said sume of Seaven hundred thirty Seaven pounds of Tobacco hath not payd but the same to pay hath denyed & still doth denye To the damage of the said Lydia solley Twelve hundred pounds of Tobacco, and thereupon she brings this suite

pledges de ps: John Doe
Richd: Roe

Edmond Dennis p quer

And the said Collen Mackensy by Blackiston his Attorney Cometh & defendeth the force and injury when &c, and sayth she ought not to have her ac^{on} Because the said Collen hath satisfyed the said debt for wch she declares, and of this putts himself upon the Country, and the said Lydia Solley Likewise

(Dennis p quer) (Blakiston p deft)

Therefore Comand is given to the Sheriffe of S^t Maryes County That hee Cause to Come here Twelve good and Lawful men of his baliwick To try y^e Issue Joyned betweene Lydia Solley plt and Collen Mackensy defendant Received by mee Sam^{ll} Dobson of Collen Mackensy Six hogsheads of Tobacco Containing Neate Two thousand five hundred and ffifteene pounds of Tobacco I Say Received by mee this Tenth day of October Anno 1677 for the use of M^{rs} Solley

Sam^{ll} Dobson

li Tobacco

p. 318	M ^{rs} Lydia Solley D ^r	
	To Tobacco paid Samuell Dobson.....	2515
	To an Order of Court ag ^t Lydia Solley.....	540
		<hr/> 3055
	sub Credito ^r	
	To my bill for.....	2000
	By my bill for.....	737
	By Court charges.....	279
		<hr/> 3016
	Due To ballance.....	0039
		<hr/> 3055

Now here att this day (to witt) the fourth day of September in the fourth yeare of the dominion of Charles &c Came the said Lydia

Solley by Edmond Dennis her Attorney, as the said Collen Mackensy Liber W. C.
by Ne^a Blackiston his Attorney, and the Juro^{rs} of that Jury likewise
Came. (To witt)

John Slye	}	John Heard	}	Robert Maston
John Noble		Tho: Turpin		Arthur Hart
Rich ^d Shippey		James Johnson		Rob ^t Thomas
Evan Carew		Jn ^o Martindale		William Taylor

Who to say the Truth in the p^rmisses being Elected Tryed and
sworne Upon their oathes doe say (Wee finde noe Cause of accon)
And doe finde for the deft that hee hath overpaid Thirty nine pounds
of Tobacco & Costs of suite awarded the deft. and that the said Collen
Mackensy Recover against the said Lydia Solley the sume of six
hundred and Eighty pounds of Tobacco for his Costs and charges in
this behalfe Laid out and Expended

Coppyed out of the Records by mee
Tho: Grunwyn Clerke

Gerrard Slye (sealed) Clement Hill (sealed)
W^m Hatton (sealed) Joshua Doyne (sealed)

And the said Lydia Solley sayth That in the Record and Processe
afores^d as also in the Rendring of Judgment aforesaid It is mani-
festly Erred in this That

(1)—There was an accon of debt upon a bill und^r hand and seale
of the deft to the plt for Seaven hundred thirty seaven pounds of
Tobacco, she sues the deft for the same and never sayes the same
was demanded w^{ch} is Erro^r for noe action Could arise or accrue
before a Demand

(2)—The deft pleads payment and Puts himself upon the Country,
hee ought not to have put the same to issue, but have given the
plantiffe Liberty to reply & soe have brought it to issue, The baring
the plt from her Replicacon is Erro^r

(3)—The deft to prove his plea produces a Receipt from samll
Dobson for Six hogsh^{ds} of Tobacco Containing Neate Two thou-
sand five hundred and fiteene pounds of Tobacco for the plts use
not Specifyeing to bee in satisfac^on of that bill, and though by the
account made up in Court Itt appeared there were other bills and p. 319
accompts betweene the partys, Yet the Court Cancelled the bill, and
the Jury without Sufficient prooffe it was payd found for the defend-
ant w^{ch} is Erro^r, ffor the bill being under hand and seale nothing
but a thing of the Like Vallue (that is to say a discharge und^r hand
& Seale) could discharge it. Therefore Erro^r

(4)—The deft haveing pleaded payment should have proved pay-
ment of that very individuall bill, or what else they proved was
nothing to the purpose, nor did it appertaine to the Court to make
themselves Audito^{rs} to state the accompts betweene them, but in

Liber W. C. case they had proved they had payd it the Jury ought to have found for the deft and noe more, all w^{ch} is Erro^r

(5)—The Verdict of the Jury is vitious for the incertainty thereof, for first they finde noe Cause of ac^{ti}on, and then they finde for the deft That hee hath overpaid thirty nine pounds of Tobacco, and Costs of suite, w^{ch} incertainty is manifest Erro^r

(6)—The Court have given noe Judgment therein but onely said after the Verdict of the Jury <and Costs of suite awarded the deft, and that the said Collen Mackensy Recover against Lydia Solley the sume of six hundred and eight pounds of Tobacco for his costs and charges in this behalfe expended> If the Court had thought fit to have given Judgment upon that dubious and incertaine verdict against the deft. Itt ought to have been Entred thus, Therefore It is Considered by the Court here that the said Lydia Solley take nothing by her writt aforesaid, but for her false Claime thereof bee in mercy, and the said Collen Mackensy goe thereof without day, and that the said Collen Recover against the said Lydia the sume of six hundred and eight pounds of Tobacco for his Costs and charges in this behalfe most wrongfully and vexatiously Expended, Then of Entrance of the Judgment thus is Erro^r.

And hereupon the said Lydia Solley saith that in the Record and Processe afores^d as also in the giving the Judgment aforesaid Itt is manifestly Erred in the seaverall Errors in the forme aforesaid alleadged, and prayeth that the Judgment aforesaid for these Erro^{rs} and others in the Record and pcesse aforesaid bee Revoaked adnulled and held for nothing, and that shee to all those things w^{ch} by occasion of the p^rmisses hath lost bee Restored, and that the said Collen to the said Erro^{rs} may Answer

And the said Collen by Robert Carvile his Attorney Prayeth the hearing the Erro^{rs} aforesaid by the said Lydia assigned and they are read unto him, w^{ch} being read and heard the said Collen prayeth Liberty of speaking thereto untill the next Provincia^ll Court, and it is granted unto him, and the same day is given to both parties.

Now here att this day to witt the Eighteenth day of ffebruary in the sixth year of the dominion of the Right hono^{ble} Charles Lord Baltmore &c Annoq Dominj 1680 Came the said parties by their Attorneys aforesaid And the said Collen Mackensy by his said Attorney Sayth, That in the Record and pceedings aforesaid and in the Rendring the Judgment aforesaid in the County Court aforesaid it is not in any thing Erred, and therefore hee likewise prayes that
 p. 320 this Court will proceede to the heareinge aswell of the Record and proceedings as of the Erro^{rs} aforsaid: And hereupon the premisses being seene & by the Justices here fully understood, Itt Seemeth to the said Justices here That there is not any Erro^r in the said Judgment of the County Court of s^t Maryes County aforesaid but that the Judgment given in the said Plaint is good & sufficient in Law,

and that noe Error is therein. Therefore Itt is Considered that the said Judgment bee affirmed and that in all things it stand in force and vertue Notwithstanding the Allegaçon and assignment of Error^{rs} of the said Lydia Solley, and that the said Collen Mackensy goe thereof without day &c. and that the said Collen Mackensy Recover against the said Lydia Solley the sume of One Thousand seaven hundred seaventy one pounds of Tobacco Costs of suite in this Court Laid out and expended, and Damages according to the Act of Assembly in that Case made and Provided:

John Butcher } John Hartwell late of S^t Maryes County was attached
ag^t } to answe unto John Butcher of a plea of Trespas
John Hartwell } upon the case

And whereupon the said John Butcher by Robert Carville his Attorney Complaineth That whereas the said John Hartwell upon the Twentyeth day of January in the yeare of our Lord 1675 at Charles County in Consideraçon that the aforesaid John Butcher at the speciall instance and request of the said John Hartwell, would receive into his house att Charles County aforesaid the aforesaid John Hartwell as a Sojourner wth him the said John Butcher, and the same John Hartwell would finde and give Meate drinke Lodging and washing and other Necessary accomodaçons, & for provision of Corne and pasture for his horse, and for his attendance upon him the said John Hartwell and lookeing after his horse for soe Long time as hee the said Jn^o Hartwell should lodge and sojourne at the house of the said John Butcher hee the said John Hartwell in Consideraçon thereof did assume upon himself & to the said John Butcher did faithfully pmise that hee the said John Hartwell would well and faithfully content and pay unto him the said John Butcher Soe much Tobacco for his Meate drinke Lodging and washing horse meate and attendance as aforesaid for such time as hee should Continue a Lodger & Sojourner as aforesaid as hee the said John Butcher should reasonably deserve, And the said John Butcher in ffact Sayth That hee the said Jn^o Butcher at the said instance and request of the aforesaid John Hartwell the aforesaid Twentyeth day of January in the yeare aforesaid the said John Hartwell as a Lodger and sojourner wth him the said John Butcher hee did receive, and that the aforesaid John Hartwell in the house of him the said John Butcher from the aforesaid Twentyeth day of January 1675 aforesaid to the first day of May in the yeare of our Lord 1676, and from the Tenth day of December in the yeare of our Lord 1676 to the three & Twentyeth day of October 1678 being in all Twenty five Monethes Did Remaine, and that hee the said John Butcher did finde and pvide for him the said John Hartwell Sufficient Meate drinke washing and Lodging and other necessary accomodaçons as aforesaid, and did find pasture and Corne

Liber W. C.

Liber W. C. for his horse, and did attend upon him and looke after his horse for the time aforesaid for w^{ch} hee doth Reasonably deserve the Sume of ffoure hundred pounds of Tobacco p Moneth, w^{ch} in the whole for the said ffive and Twenty Moneths Amounteth to the sume of Tenn thousand pounds of Tobacco, Yet Notwthstanding the said John Hartwell his pmise and assumption aforesaid Little Regarding but plotting and fraudulently intending him the said John Butcher in that behalfe Craftily and Subtilly to deceive and defraude, the aforesaid John Hartwell the aforesaid sume of Tenn Thousand pounds of Tobacco to him the said John Butcher though often thereunto required hath not paid nor satisfyed, but the same to pay and satisfy hath hitherto denyed and still doth denye to the Damage of him the said John Butcher ffifteene thousand pounds of Tobacco Whereupon hee bring his suite

And the said John Hartwell by Robert Ridgely his Attorney Cometh & defendeth the force and injury when &c. and Prayeth Liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him the same day is given to the plantiffe also:

Att w^{ch} said next Provinciaall Court (to witt) the nine and Twentyeth day of November in the ffifth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq; Dominj 1680 Came the said partyes by their Attorneys aforesaid, and the said John Hartwell by his said Attorney sayth That hee did not assume and promise in manner and forme as the said John Butcher above against him hath Complained, and of this hee puts himselfe upon the Country And the plantiffe also: Itt is therefore Comanded the Sheriffe of S^t Maryes County that hee Cause to Come here Twelve &c by whome &c and who neither &c. to Recognize &c because aswell &c

On w^{ch} said nine and Twentyeth day of November in the yeare aforesaid Came the said partyes by their Attorneys aforesaid, and the Juro^{rs} impannelled being Called Likewise came To witt, John Stanley. John Lamarre, Edw^d Ward Giles Wilson. William Thomas, Thomas Addams, Gilbert Turberfeild John Hyland Peter Ellis, Thomas Spinke, Thomas Russell & Emanuel Ratliffe Who being elected Tryed and Sworne to say the truth in the premisses Upon their oathes doe say That the said John Hartwell did assume and pmise in manner and forme as the said John Butcher above against him hath declared, and they assesse the damage of the said John Butcher to five hundred pounds of Tobacco. W^{ch} Verdict of the Juro^{rs} aforesaid being Read and heard, the said John Hartwell by his Attorney aforesaid moved the Court here in arrest of Judgment, And Day is thereupon given unto both partyes untill next Provinciaall Court

And Now here at this day to witt the Eighteenth day of ffebruary in y^e sixth yeare of the dominion of the Right hono^{ble} Charles Lord

Baltimore &c Annoq Domny 1680 Came the said John Butcher by his Attorney aforesaid and Offered himself against the said Jn^o Hartwell in the plea afores^d but the said John Hartwell came not but made default Therefore It is considered that the said John Butcher Recover against the aforesaid John Hartwell aswell the aforesaid sume of five hundred pounds of Tobacco damages by the Juro^{rs} aforesaid in forme aforesaid assessed as also the sume of One thousand one hundred & thirty Pounds of Tobacco Costs of suite, and the deft in mercy &c

Liber W. C.
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Know all men by these p^rsents that I John Hartwell of Charles County doe assigne and make over unto John Butcher of the same place planter my Plantacon w^{ch} I hold by Lease from Mr Henry Warren of s^t Thomas's Manno^r for the whole time and Terme of Seaven Yeares Comenceing from the day of the date hereof, wth all houses orchards and all the Land belonging to the said plantacon Reserving to my self the New Dwelling house whilst I have occasion for the same for my owne proper use, as also Pasture for my horse and Cattle till I can dispose of them. The said John Butcher paying therefore unto mee One thousand pounds of Tobacco Upon the said Plantacon and Two Capons or in Leiw thereof Three ffatt Hens att S^t Thomas's Manno^r house yearely dureing the time hee holds the Land, Hee the said John Butcher Leaveing all houses Orchards and ffences in as good Repaire as hee now ffindes them **In witnesse** whereof I have hereunto set my hand and seale the seaven and Twentyeth day of December Annoq Dominj One thousand six hundred seaventy and five

Signed sealed & delivered

Jn^o Hartwell (sealed)

in the p^rsence of:

Henry Warren: Henry Adames:

Thomas Jones	} Samuel Dobson late Undersheriffe of S ^t Maryes
ag ^t	
Samuel Dobson	

County was attached to answer unto Thomas Jones of S^t Innagoes Sloopman of a plea of Trespasse upon the case.

And whereupon the said Thomas Jones by Robert Ridgely his Attorney Complaineth That whereas the said Sam^{ll} Dobson the Twenty fifth day of ffebruary in the yeare of our Lord 1678 being undersheriffe of the County of S^t Maryes aforesaid under Gerrard Slye gent^l high Sheriffe of the same County, by Reason of w^{ch} Office and employment the said Sam^{ll} did Collect gather & Receive from the inhabitants of the said County the Rents due to the Right hono^{ble} the Lord Prop^r. The fees due to the Hono^{ble} the Chancello^r and Secretary of this Province and other publiq Dues, w^{ch} the Sheriffe was appointed & ordered to collect gather and Receive within the said County, The said Thomas Jones being an Inhabitant of the said County in S^t Innagoes Innagoes hundred aforesaid The said Sam^{ll}

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Liber W. C. Dobson the said twenty fifth day of february in the yeare aforesaid, Contriveing and designing him the said Thomas Jones of ffoure hundred and foure pounds of Tobacco to deceive and defraud, Did acquaint the said Thomas Jones that hee the said Thomas stood indebted to the Hon^{ble} William Calvert Esq^r Secretary of this Province The Sume of ffoure hundred and foure pounds of Tobacco for fees w^{ch} hee had Order to Collect and Receive, and therefore required the said Thomas to pay the same unto him the said Sam^l or else hee the said Sam^l him the said Thomas in Execu^con for the Same would forthwith Seize and take, The said Thomas fearing the said Sam^l would take him in Execu^con as aforesaid, and not Knowing whether hee owed the said Secretary the said Sume of ffoure hundred & foure pounds of Tobacco or not forthwith paid unto the said Sam^l the said sune of ffoure hundred and foure Pounds of Tobacco for Secretarys ffees as aforesd, Supposed to bee due to the said Secretary from the said Thomas, and that hee the Said Sam^l had ord^r to Collect gather up and Receive the same, And the said Thomas in ffact Sayth That att the Time aforesaid hee did not owe unto the said Secretary the said Sume of ffoure hundred and foure pounds of Tobacco nor had the said Sam^l any order to Collect and Receive the same, Nor had the said Secretary any accompt thereof, But the said Samuel him the s^d Thomas of the said ffoure hundred and foure pounds of Tobacco the day and Yeare aforesaid fraudulently and deceitfully did deceive and defraud to the damage of the said Thomas Two thousand pounds of Tobacco. And thereupon hee brings his suite.

And the said Sam^l Dobson by Kenelm Cheseldyne his Attorney cometh and defendeth the force and injury when &c and prayeth Liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him the same day is given to the plantiffe also

Att w^{ch} said next Provinciaall Court to witt the Thirtyeth day of November in the Sixth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq³ Dominj 1680 Came the said ptyes by their Attorneys aforesaid And the said Sam^l Dobson by his said Attorney saith That the said Thomas Jones his ac^con aforesaid against him the said Sam^l ought not to have, for that hee sayth, That at the time of the supposed receiveing of the ffoure hundred & foure pounds of Tobacco in the Declaracon men^coned of the said Thomas by him the said Sam^l. The said Sam^l sayth that hee was Undersheriffe and Deputy to Cap^t Gerrard Slye high Sheriffe of S^t Maryes County, from whome hee the said Sam^l Received a certaine list of debts belonging to the hono^{ble} the secretary of this Province to bee Leavyed by way of Execu^con upon seav^l psons in st Maryes County; amongst w^{ch} the said Thomas Jones in the List aforesaid was charged the Sume of ffoure hundred and foure pounds of Tobacco in the Declara^con mentioned and delivered to

him the said Sam^{ll} by the said high sheriffe to Receive of the said Thomas Jones aforesaid, and by vertue of the said Power from the said High Sheriffe did demand the same of the said Thomas Jones for the use of the Hono^{ble} the Secretary aforesaid, Who Voluntarily and of his owne accord pay the same, And further Sayth That hee the Said Sam^{ll} upon Receipt of the Same, did pay and deliver the said Sume of ffoure hundred and foure pounds of Tobacco to the High Sheriffe aforesaid upon the Accompt and for the use of the Hono^{ble} the Secretary aforesaid, All w^{ch} the said Samuel sayth hee did by a Legall Power as Servant and Deputy to the high Sheriffe aforesaid, and without any fraude or deceit in him the said Sam^{ll}, without w^{ch} noe ac^{on} against him the said Samuell Lyeth, and this hee is ready to averre and prayes Judgment why the said Thomas his ac^{on} against him the said Sam^{ll} Ought to have

Liber W. C.

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And the said Thomas sayth that hee from haveing his ac^{on} aforesaid against the said Samuel Dobson for the said foure hundred & foure pounds of Tobacco ought not to bee barred, because hee sayth that the said Samuel the said Sume of ffoure hundred & foure pounds of Tobacco of him the said Thomas for the use of William Calvert Esq^r Secretary of this Province did receive without any order from the Said Secretary to doe the same, and the said secretary any accompt thereof did not give, soe that the said Thomas of the said Sume of ffoure hundred and foure pounds of Tobacco by the said Samuel hath been defrauded, and his debt due to the said Secretary (if any were) undischarged, and the said Samuel being Servant or Deputy to the said Gerrard Slye late sheriffe of S^t Maryes County at that time, shall not and ought not to debarre the said Thomas from haveing his ac^{on} aforesaid against the said Samuel, and this hee is ready to averre And thereupon demands Judgment And the said Sam^{ll} sayth that for the reasons in the plea aforesaid pleaded the said Thomas Ought to bee barred his ac^{on} aforesaid agt him the said Sam^{ll}, and of this hee puts himself upon the Country And the plantiffe likewise, Itt is therefore Comanded the sheriffe of S^t Maryes County that hee Cause to come here Twelve &c by whome &c, and who neither &c, To Recognize &c, because aswell &c

On w^{ch} said Thirtyeth day of November in the yeare aforesaid came the said parties by their Attorneys aforesaid. and the Jurors Impannelled being Called likewise came (To witt) John Addison, Gilbert Turberville, John Hartwell, John Evans, Thomas Simpson, Williams Watts Emanuel Ratliffe, Giles Willson, Thomas Addams, Thomas Beale, James Pencoate, Thomas Spinke, Who being elected tryed and Sworne to say the truth in the premisses, Upon their oathes doe Say (That for the Reasons in the aforesaid plea of the aforesaid Deft in manner aforesaid pleaded, the aforesaid plantiffe his ac^{on} aforesaid against the said deft ought not to have, but ought to bee

Liber W. C. barred thereof) Which verdict of the Jurors aforesaid being Read and heard the plantiffe by his Attorney aforesaid Moved the Court here in arrest of Judgment, And Day is thereupon given to both parties untill next Provinciaall Court

p. 325 Now here att this day to witt the Eighteenth day of ffebruary in the Sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj One thousand six hundred and Eighty came the said parties by their Attorneys aforesaid, And the said Thomas Jones by his said Attorney fileth his Reasons for arrest of Judgment Upon the Verdict of the Juro^{rs} aforesaid. w^{ch} followeth (viz)

Reason for arresting the Judgment Betweene Thomas Jones plt. and Samuel Dobson Deft Upon the Verdict given by the Jury

The plt sues the deft and charges him to have fraudulently received of him foure hundred and foure pounds of Tobacco, Upon p^rtence of soe much due to the hono^{ble} the secretary for fees, and yet never discharging him from the Secretary for the same, and that hee was forced to pay it againe, for w^{ch} damage Two Thousand pounds of Tobacco

The Deft comes and pleads, and in his plea ownes the receiveing the foure hundred & foure pounds of Tobacco of the plant but sayes hee was undersheriffe & Servant to Gerrard Slye high Sheriffe of S^t Maryes County, & that hee did it by his ord^r, & accounted to him for the same, and soe Justifies it, and demands Judgment if ac^{co}n &c.

The Plant replies as in his Declara^{co}n, and puts it upon the matter of fact & soe puts himself upon the Judgment of the Court

The deft Rejoynes as in his plea, and of that puts himself upon the Country And the plantiffe also:

(1)—Soe that the matter of Law w^{ch} is in the plea is put upon the Jury w^{ch} is Erro^r for it is a Maxim in Law, as to matter of Law the Juro^{rs} doe not answer but y^e Judges, And as to matter of ffact the Judges doe not answer but the Jury, Soe the matter put in issue to the Jury ought to have been put to the Court w^{ch} is Error

(2)—The Jury could not enquire of the matter of Law, & consequently not of that issue, soe that if they had returned any Verdict in this case att Barr It must have beene a Speciall one, and soe must have found the matter of fact as it really was and appeared to them, w^{ch} was that Jones owed the Secretary but Three hundred & foure pounds of Tobacco, That Dobson Received of him ffoure hundred and foure pounds of Tobacco for The Secretary, That Notwithstanding that Dobson nor slye had not Cleared him from the Secretary, but hee was forced to pay it againe, And If the Court were of oppinion that Dobsons plea was good and that Jones had had noe Remidy but against Slye, and not against Dobson, Then they found for the defendant, but if otherwise) Then they found for the plantiffe, And they could bring noe other verdict in this Case

(3)—The Jury finding noe Cause of acōn is false and Erronious, Liber W. C.
for it was sufficiently apparent to Court and Country hee had Cawse
of acōn enough, for hee is wronged of ffour hundred and foure
pounds of Tobacco, and the Jury ought to have found for the plt,
or for the deft, or specially, and that Generall finding noe Cause
of acōn is Erro^r:

For these Reasons hee desires the Judgment may bee arrested

W^{ch} Reasons aforesaid being Read heard and argued, and by y^e
Justices here fully underStood and dilligently examined, It seemeth
to the Same Justices That the Reasons aforesaid are Insufficient in p. 326
Law to arrest Judgment upon the Verdict of the Juro^{rs} aforesaid,
Therefore Itt is Considered that the said Thomas Jones take nothing
by his writt, but for his false Claime thereupon bee in mercy, and
that the said Samuel Dobson may goe from thence without Day.
And also. That the said Samuel Dobson Recover against the said
Thomas Jones the sume of pounds of Tobacco for
his Costs and charges by him about his defence in this behalf
Laid out and Expended, and the Said Samuell may have thereof
Execution

John Rogers	}	Henry Hollis late of Calvert County Planter was
ag ^t		attached to Answere unto John Rogers of the same
Henry Hollis	}	County Carpenter of a plea wherefore with force and
		Armes One steere of him the said John att Leonards

Creeke hundred in the County aforesaid lately found of the Vallue
of Tenn pounds Sterling hee did take drive away Kill and Convert
to his owne use, and other Enormityes to him did to the greate
damage of the said John and against the Peace of the Right hono^{ble}
the Lord Prop^{ty}

And whereupon the said John Rogers by Christopher Rousby his
Attorney Complaineth. That the said Henry Hollis the Tenth day
of January in the yeare of our Lord 1679 with force and Armes
One Steere of him the said John att Leonards Creeke hundred in
Calvert County aforesaid lately found of the vallue of Tenn pounds
sterl. Did take drive away Kill and Convert to his owne use,
and other Enormityes to him did to the greate damage of the said
John and against the Peace of the Right hono^{ble} the Lord Pro-
prietary, And whereupon the said John sayth hee is the worse and
hath losse to the Vallue of fiftene pounds sterl. and thereupon hee
bringeth his suite

And the said Henry Hollis by Charles Boteler his Attorney com-
eth and defendeth the force and injury when &c and prayeth liberty
to Imparle hereunto untill next Provincially Court and it is granted
unto him. the same Day is given to the plantiffe Likewise

Att w^{ch} said next Provincially Court (To witt) the Two and
Twentyeth day of ffebruary in the Sixth yeare of the Dominion of

Liber W. C. the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680
 Came the said partyes by their Attorneys aforesaid. and the said
 Henry Hollis by his Said Attorney sayth That hee is not guilty of
 the Trespasse above in the Declara^{con} menconed in manner and
 forme as the plt above in his Declara^{con} hath Declared, and of this
 hee puts himself upon the Country, and the plt likewise, Itt is there-
 fore Comanded The Sheriffe of S^t Maryes County That hee Cause
 p. 327 to come here Twelve &c by whome &c. and who neither &c To Recog-
 nize &c because aswell &c

On w^{ch} said Two and Twentyeth day of ffebruary in the yeare
 aforesaid Came the said partyes by their Attorneys aforesaid and
 the Jurors impannelled being called likewise came To witt, Anthony
 Dawson, Thomas Hinton Simon Spratling, William Harper, John
 Powell, George Powell, W^m Harris Thomas Waughopp, William
 Reede, John Bailey, Henry Hardy & Thomas Jones, Who being
 Elected tryed and Sworne to say the Truth in the p^rmisses Upon
 their Oathes doe say That the said Henry Hollis is not guilty of the
 Trespasse above in the Declara^{con} mentioned in manner and forme
 as y^e Plantiffe above in his Declara^{con} hath declared, Therefore It
 is Considered that the said John Rogers take nothing by his writt
 but bee in mercy for his false plaint thereupon, And that the said
 Henry Hollis may goe thereof without day. and that the said Henry
 Hollis Recover against the said John Rogers the Sume of Nine
 hundred ninety Seaven pounds of Tobacco for his costs of Suite.
 by him about his defence in this behalfe Laid out and Expended,
 And the said Henry may have thereof Execu^{con}

Robert Yeates & W ^m Jones	} Thomas Vaughan late of Talbott County, otherwise called Thomas Vaughan of the County of Talbott in in the Province of Maryland Plant ^r
ag ^t	
Thomas Vaughan	

was Sumoned to answer unto Robert Yeates March^t & W^m Jones
 Marin^r of the Citty of Bristoll in the Kingdome of England, of a
 plea that hee Render unto them the full and just Quantity of ffive
 Thousand forty Eight pounds of good Sound Tobacco & Casq w^{ch}
 to them hee oweth and unjustly detaineth

And Whereupon y^e said Robert Yeates and William Jones by
 Robert Ridgely their Say That Whereas the said Thomas Vaughan
 the Twelfth day of January in the yeare of our Lord One thousand
 Six hundred seaventy seaven, by his certaine bill or writeing obliga-
 tory sealed with the seale of him the said Thomas Vaughan & here
 in Court produced whose date is the day and Yeare aforesaid, did
 binde himself his Executo^{rs} Adm^{rs} or Assignes to pay or Cause to
 bee payd unto the said Robert Yeates or the said William Jones they
 their heires Executo^{rs} Adm^{rs} assignes or Lawfull Attorney the full

& Just quantity of five thousand forty eight pounds of good sound Tobacco and Casq Sufficient to Containe the same att or Upon the Tenth day of October next Ensueing the date of the said bill or writeing obligatory, or after Upon Demand, att the then dwelling house of him the said Thomas Vaughan in greate Chaptanke River Notwithstanding w^{ch} the said Thomas Vaughan the said sume of five thousand forty eight pounds of Tobacco to the said Robert Yeates & William Jones nor either of them hath not payd according to the Teno^r of the said bill or writeing obligatory Although often thereunto required, but the same to pay hath denyed and as yet doth denye Whereupon the said Robert Yeates and William Jones say they are Damnyfied and have Losse to the Vallue of Tenn thousand pounds of Tobacco, And thereupon they bring their Suite

Liber W. C.

p. 328

And the said Thomas Vaughan by Robert Carvile his Attorney cometh and Defendeth the force and injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him the same day is Given to the plantiffe likewise

Now here att this day (to witt) the Two & Twentyeth day of February in the sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq; Dominj 1680, Came the Said Robert Yeates and William Jones by their Attornyes aforesaid and offered themselves against the said Thomas Vaughan in the plea aforesaid, but the said Thomas came not but made default Therefore Itt is Considered by the Court here that the said Robert Yeates and William Jones Recover against the said Thomas Vaughan aswell the aforesaid sume of Five thousand forty Eight pounds of Tobacco debt, as also the sume of ffive hundred ninety eight pounds of Tobacco costs of suite, And the deft in Mercy &c

Ninian Beale } Seth Biggs late of Calvert County was attached to
ag^t } answerd unto Ninian Beale of a plea wherefore by
Seth Biggs } force and Armes foure hogsh^{ds} of Tobacco of the
prop goods and Chattles of him the said Ninian hee
did take and Carry away and other harmes to him did doe &c

And whereupon the said Ninian Beale by Charles Boteler his Attorney Complaineth That Whereas the said Seth Biggs Upon the sixteenth day of May in the yeare of our Lord 1680 att the Western branch of Petuxent River in Calvert County by force and Armes, ffoure hogsheads of Principall good bright pickt and Culld Tobacco Containing Sixteene hundred pounds of Neate Tobacco of the Vallue of sixteene pounds sterf of the prop goods and Chattles of him the said Ninion, hee did take and Carry away and other harmes to him did doe, against the Peace and to the damage of him the Said Ninian Beale Whereupon the said Ninian sayth hee is damnyfied & hath losse to the Vallue of Twenty pounds sterf, and thereupon hee bringeth his suite

Liber W. C. And the said Seth Biggs by Robert Ridgely his Attorney Cometh and defendeth the force and injury when &c and Prayeth liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him, The Same day is given to the plantiffe likewise

Att w^{ch} said next Provinciaall Court to witt the Two and Twentyeth day of ffebruary in the sixth Yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj i680 Came the said partyes by their Attornys aforesaid. and the Said Seth Biggs by his said Attorney Sayth That hee is in noe wise guilty of the premisses above imposed upon him, in manner & forme as the said
 p. 329 Ninian in his Declaracon against him hath Complained, and of this hee putts himself Upon the Country. And the plantiffe Likewise Itt is therefore Comanded the Sheriffe of S^t Maryes County that hee cawse to come here Twelve &c. by whom &c. and who neither &c to Recognize &c. because aswell &c^a

On w^{ch} said Two and Twentyeth day of ffebruary in the yeare aforesaid cam[e] the said partyes by their Attorneys aforesaid. and the Jurors impannelled being called Likewise came (To witt) Richard Lloyd. Michael Ashford, William Wells, John Gray, Edward Abbott. Emanuel Ratliffe, John Evans Jn^o Wynn Edward Morgan, John Martindale, John Browne, & Henry Morgan Who being Elected Tryed and Sworne to say the truth in the premisses Upon their oathes doe say, That the said Seth Biggs is in noe wise guilty of the premisses above imposed upon him in manner and forme as the said plt in his Declaracon against him hath Complained, Therefore it is Considered by the Court here that the said Ninian Beale take nothing by his writt but bee in Mercy for his false Claime thereupon, and that the said Seth Biggs may goe thereof without Day And also that the said Seth Biggs Recover against the said Ninian Beale the Sume of One thousand Two hundred and foure pounds of Tobacco for his Costs and Charges by him about his Defence in this behalfe Layd out and Expended. and the said seth may have thereof Execution

James Magruther	}	Seth Biggs late of Calvert County was attached
ag ^t		to answere unto James Magruther of a plea
Seth Biggs		wherefore by force & Armes One hogshhead of Tobacco of the prop goods and Chattles of the said James hee did take and carry away and other Enormities to him did doe, And against the Peace &c

And **Whereupon** the said James Magruther by Charles Boteler his Attorney Complaineth That Whereas the said Seth Biggs upon the sixteenth day of May in the yeare of our Lord i680 att the Western branch of Petuxen River in Calvert County by force and Armes one hogshhead of principall good bright Pickt and Culled Tobacco Weighing Neate Three hundred and seaventy pounds of Tobacco, of the Vallue of Three pounds ffifteene shillings sterl, of

the Proper goods & Chattles of the said James Magruther, hee did take and carry away, & other Enormityes to him did doe to the Damage of him the said James Whereupon the Said James Sayth hee is damnified and hath losse To the Vallue of Six pounds sterling, and thereupon hee bringeth his suite Liber W. C.

And the said Seth Biggs by Robert Ridgely his Attorney Cometh and defendeth the force and injury when &c and Prayeth liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him the same Day is given to the Plantiffe likewise

Att^{wch} said next Provinciaall Court (To witt) the Two & Twentyeth day of ffebruary in the sixth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Came the said partyes by their Attorneys aforesaid, and the said Seth Biggs by his said Attorney Sayth, That hee is in noe wise guilty of the p^misses above imposed upon him in manner & forme as the said James in his Declara^{con} against him hath Complained and of this hee putts himself upon the Country, And the p^{te} alsoe Itt is therefore Comanded the Sheriffe of S^t Maryes County that hee Cause to come here Twelve &c. by whome &c. and who Neither &c To Recognize &c. because aswell &c: p. 330

On^{wch} said Two and Twentyeth day of ffebruary in the yeare aforesaid Came the said partyes by their Attorneys aforesaid, and the Juro^{rs} impannelled being called likewise came (to witt) Anthony Dawson, Thomas Hinton, Symon Spratling, William Harper, John Powell, George Powell, William Harris, Thomas Waughopp, William Reede, John Bailey, Henry Hardy. & Thomas Jones, Who being Elected Tried and Sworne to say the Truth in the p^misses Upon their oathes doe Say, That the said seth Biggs is in noe wise guilty of the premisses above imposed upon him in manner and forme as the said James Magruther in his Declara^{con} above against him hath Complained. Therefore Itt is Considered by the Court here that the said James Magruther take nothing by his writt aforesaid but bee in mercy for his false plaint thereupon, and the said Seth Biggs may goe thereof without day and also that the said Seth Biggs Recover against the said James Magruther the Sume of One Thousand Two hundred and foure pounds of Tobacco for his costs and charges by him about his Defence in this behalfe Laid out and Expended, and the said Seth may have thereof Execution

Benjamin Lawrence	} Edward Pindar late of Dorchest ^r County
ag ^t	
Edward Pindar	
	} Plant ^r was attached to Answer unto Benjamin
	} Lawrence of a plea of Trespasse upon the case

And whereupon the said Benjamin Lawrence by George Parker his Attorney Complaineth, that whereas hee the said Benjamin Lawrence the Nineteenth day of December in the year of our Lord god 1678 had bought one pipe and six gallons of Wine of Joseph Eaton Comand^r of the good shipp Called the Marchants

Liber W. C. Delight then Rideing in Petuxent River, ffor w^{ch} said pipe and six gallons of wine hee the said Benjamin payd to the said Joseph Eaton the sume Two thousand Two hundred and thirty pounds of Tobacco, & Whereas also the said Benjamin Lawrence the three & Twentyeth day of December in the yeare of our Lord god 1678 att the Speciall instance and request of him the said Edward Pindar had sold and Delivered to the said Edward Pindar the aforesaid Pipe and Six
 p. 331 gallons of wine for the ffunerall of William ffoorde In Consideraçon thereof the same Three and Twentyeth day of December in the yeare of our Lord God 1678 The said Edward Pindar did assume upon himself and to the said Benjamin Laurence did faithfully pmise That hee the said Edward Pindar when thereunto required The sume of Two Thousand Two hundred and thirty pounds of Tobacco would well and truely Content and pay, And the said Benjamin Lawrence in fact Saith That trusting to the faithfull promise and assumption of him the said Edward Pindar made as aforesaid did Sell and Deliver to him the said Edward Pindar the aforesaid Pipe and six gallons of wine for the ffunerall of the said William ffoorde Yet the said Edward his said pmise & assumption not regarding, but Deviseing and fraudulently intending him the said Benjamin Lawrence in that behalfe to defraude and deceive, The said sume of Two Thousand Two hundred and thirty pounds of Tobacco though often thereunto required unto the said Benjamin hath not paid nor anyway satisfyed according to his Promise & Assumption aforesaid, but the same to pay hath Denyed and as Yet doth denye To the damage of the said Benjamin Lawrence **Whereupon** hee sayth hee is Damnified and hath Losse to the vallue of ffoure Thousand pounds of Tobacco, And thereupon hee bringeth his Suite

And the said Edward Pindar by Robert Ridgely his Attorney Cometh and Defendeth the force and injury when &c. and prayeth liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him, The same Day is given to the plantiffe likewise

Att w^{ch} said next Provinciaall Court (To witt) The two and Twentyeth day of ffebruary in the Sixth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 came the said partyes by their Attorneys aforesaid, and the sd Edward Pindar by his said Attorney sayth That hee did not assume and promise in manner and forme as the said Benjamin above his Declaraçon hath Complained, and of this hee puts himself upon the Country. And the plt likewise, Itt is therefore Comanded the Sheriffe of S^t Maryes County that hee Cawse to Come here Twelve &c by whome &c. and who neither &c To Recognize &c because aswell &c.

On w^{ch} Two and Twentyeth day of ffebruary in the yeare aforesaid came the said partyes by their Attorneys aforesaid, and the

Jurors impannelled being called Likewise came To witt, Richard Lloyd, Michael Ashford, W^m Wells, John Gray, Edward Abbott, Emanuel Ratliffe, John Evans, John Wynne, Edward Morgan John Martindale, John Browne, & Henry Morgan Who being elected Tried and Sworne to say the truth in the p^misses Upon their oathes doe say That the said Edward Pindar did assume and pmise in manner and forme as the said Benjamin above in his Declaracon against him hath Complained, Therefore it is Considered that the said Benjamin Lawrence Recover against the said Edward Pindar aswell the aforesaid Sume of Two thousand Two hundred and thirty pounds of Tobacco debt as also the sume of Thirteen hundred eighty foure pounds of Tobacco Costs of Suite, and the Deft in mercy &c:

Liber W. C.

Michael Miller	} Clement Hill late of S ^t Maryes County gentl was	p. 332	
ag ^t			attached to answer unto Michael Miller in a plea of
Clement Hill			Trespasse upon the case

And Whereupon the said Michael Miller by Kenelm Cheseldyn his Attorney Complaineth That Whereas hee the said Michael Miller the nineteenth day of Aprill in the second yeare of the Dominion of Charles &c and in the yeare of our Lord 1677 att Kent County within this this Province aforesaid was posessed of a certaine boy servant of about the age of Twelve yeares of age called by the name of Thomas Curry, as the proper Servant of him the said Michael to Serve with him the said Michael for such terme of yeares as is usuall and Accustomable by the Lawe of this Province for Servants Transported into this Province without Indentures, at the age aforesaid of the Vallue of Three hundred pounds of Tobacco, and Soe being thereof posessed, the said boy servant of him the said Michael as aforesaid, the said Michael afterwards to witt the Tenth day of May in the yeare aforesaid out of the posesion and Service of him the said Michael Casually lost, w^{ch} said servant afterwards (to witt) the Twentyeth day of May in the yeare of our Lord aforesaid, att the Citty of S^t Maryes in the County of S^t Maryes within this Province aforesaid To the hands and possession of him the said Clement by finding came, Notwithstanding w^{ch} the said Clement Knowing the said servant boy to bee the proper servant of him the said Michael, and of right to appertaine and belong, Meaning & intending him the said Michael in this behalfe to deceive and defraud, the said boy servant as aforesaid to him the said Michael though often thereunto required hath not delivered, but the said Boy servant as aforesaid Afterwards (to witt) The Twentyeth day of ffebruary in the yeare of our Lord 1679 to the proper use and Comodity of him the said Clement in st Maryes County aforesaid, then and there did dispose & Convert Whereupon the said Michael Sayth hee is the worse and hath damage to the

Liber W. C. Vallue of Eight hundred pounds of Tobacco, and thereupon hee brings his suite

And the said Clement Hill by Robert Carvile his Attorney Cometh and defendeth the force and injury when &c and Prayeth liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him the same day is given to the plantiffe likewise

Att w^{ch} said next Provinciaall Court to witt the Two and Twentyeth day of ffebruary in the sixth yeare of the Dominion of the R^{tt} hono^{ble} Charles Lord Baltemore &c Annoq̃ Domny 1680 Came the said partyes by their Attorneys aforesaid, and the said plantiffe Refuseth to make any further prosecucon against the said deft in the plea aforesaid. Therefore Itt is Considered that the said Michael Miller take nothing by his writt but bee in mercy for his false Claime thereupon, and that the said [Clement] Hill may goe thereof without day and that the said Clement Hill Doe Recover against the said Michael Miller the Sume of Seaven hundred & five pounds of Tobacco for his costs and charges by him about his defence in this behalfe Layd out and expended, and the said Clement may have thereof Execucon

Ramond Stapleford

ag^t

Timothy Macknemarrow & Sarah
his wife Adm^x of Lewis Griffith

} Timothy Macknemarrow & Sarah
his wife Adm^x of the goods &
Chattles of Lewis Grffith de-
ceased were Sumoned to aswere
unto Raymond Stapleford of a

plea that they Render unto him one Man Servant w^{ch} from him they unjustly detaine &c

And Whereupon the said Raymond by Christopher Rousby his Attorney Complaineth That Whereas the said Lewis Griffith the fourth day of June 1679 by his certaine writeing obligatory sealed wth the seale of him the said Lewis here in Court pduced whose date is the same day and yeare abovesaid Did acknowledge himself to bee indebted unto the said Raymond One Man Servant to bee und^r the age of forty yeares and above the age of ffifteene yeares, To bee paid to the said Raymond upon the Tenth day of March then next following, Yet the said Lewis in his life time or the said Sarah while She was Sole To whome Administracon of the goods and Chattles of the said Timothy after the death of the said Lewis was by the Hono^{ble} Philip Calvert Esq^r Comissary of Maryland Comitted, or the said Timothy and Sarah since their intermarriage the said Man Servant to the said Raymond have not paid and delivered Nor any of them hath payd and delivered Though often thereunto required, but the same to pay and deliver have altogether refused, and the said Timothy and Sarah his wife doe Still refuse, Whereupon the said Raymond sayth hee is the worse and hath losse to the

vallue of seaven Thousand pounds of Tobacco And thereupon hee Liber W. C.
brings his suite

And the said Timothy and Sarah by Robert Ridgely their Attorney Come & defend the force and injury when &c and Pray Liberty to imparle hereunto untill next Prov^l Court and itt is granted unto them the same day is given to the Plt likewise

Att w^{ch} said next Provinciaall Court (to witt) three and Twentyeth day of ffebruary in the sixth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 Came the said partyes by their Attorneys aforesaid and the said Timothy and Sarah by their said Attorney say That the said Raymond ought not to have his ac^{on} against them because they say they have fully administred all and singuler the goods and Chattles w^{ch} were of the said Lewis Griffith att the time of his death, and that they have noe goods and Chattles w^{ch} were of the said Lewis Griffith att the time of his death in their hands to bee adminstred, Neither had att the day of the issueing out of the Originall writt of the said Raymond, nor att any time after, and this hee is ready to averre, Whereupon they pray judgment Whether the aforesaid Raymond ought to have his ac^{on} aforesaid against them

And the said Plantiffe sayth that hee ought not to bee barred of his said ac^{on}, Because hee sayth The said Defts have not fully adminstred of the Estate of the said Lewis Griffith in manner and forme as in their said plea they have Suggested, and this hee desires may be Enquired of by the Country. And the deft Likewise, Itt is therefore Comanded the sheriffe of S^t Maryes County that hee Cause to come here Twelve &c by whome &c and who neither &c To Recognize &c because aswell &c p. 334

On w^{ch} said Three and Twentyeth day of ffebruary in the yeare aforesaid came the said partyes by their Attorneys aforesaid, and the Juro^{rs} Impannelled being called likewise Came To witt, Richard Lloyd Michael Ashford, William Wells, John Gray, Edward Abbott, Eman^l Ratliffe John Evans, John Wynn Edward Morgan, John Martindale, John Browne & Henry Morgan Who being elected Tryed and Sworne to say the truth in the premisses Upon their oathes doe say That the said Plantiffe ought not to bee barred of his sai ac^{on} against the said Defend^{ts}, for that the said defts have not fully administred off the Estate of the said Lewis Griffith in manner and forme as in their said plea they have Suggested, Therefore. Itt is Considered that the said Raymond Stapleford Recover against the said Timothy Macknemarrow And Sarah his wife Adm^x of the said Lewis Griffith deceased. aswell the aforesaid Man servant to bee und^r the age of forty yeares & above the age of fiftene yeares as aforesaid, as also the sune of pounds of Tobacco
Costs of suite And the said deft in mercy &c.

Theophilus Hacket late of Ann
Arundell County Cordwayner
and Alice his wife Adm^r of
the goods Chattles & debts of
Edward Skidmore deceased
were attached to answer unto

And Whereupon the said John Bird and Elizabeth his wife by George Parker their Attorney Complaine, That whereas the said Henry Lewis in his life time att seaverall dayes and times, (to witt from the fourteenth day of ffebruary w^{ch} was in the yeare of our Lord god 1674 untill the ninth day of August w^{ch} was in the yeare of our Lord god 1677, att the speciall instance and request of him the said Edward Skidmore in his life time had sold and delivered unto him the said Edward Seaverall goods wares & Marchandizes, a Pticuler whereof is here in Court pduced, Amounting in the whole to the Sume of Two thousand Two hundred and five pounds of Tobacco, In Consideraçon whereof the said Edward Skidmore did assume upon himself, and to the said Henry Lewis did faithfully pmise That hee the said Edward when thereunto required the said sume of Two thousand Two hundred & five pounds of Tobacco well and ffaithfully would Content satisfy and pay And the said John

Bird and Elizabeth his wife, in ffact Say, That the said Henry Lewis in his life time Trusting to the faithfull pmise & Assumption of him the said Edward Skidmore in his life time made as afores^d Did sell and deliver unto him the said Edward Seaverall goods wares and Marchandizes Amounting in the whole to the sume of Two thousand two hundred and five pounds of Tobacco. Yet Neverthelesse the said Edward Skidmore his promise and assumption soe as aforesaid made Little regarding, but endeavoring and fraudulently intending him the said Henry Lewis in his life time Craftily and subtilly to deceive and defraude, The said Edward the said sume of Two thousand Two hundred and five pounds of Tobacco to the said Henry in his life time did not pay, Nor the said Alice after the death of the said Edward while She was Sole to the said Elizabeth since the death of the said Henry while she was Sole The said Sume of Two thousand Two hundred and five pounds of Tobacco did not pay. Nor the said Theophilus Hacket and Alice his now wife to whome Letters of Administracon of the goods and Chattles of the said Edw^d were granted, to the said John Bird and Elizabeth his wife since Espousall between them Celebrated have not paid. To whome Letters Testamentary of the goods & Chattles of the said Henry Lewis have beene granted Although often thereunto required, But the same to pay have denied and Still doe denye Whereupon the Said John Bird and Elizabeth his wife Say that they are the worse

and have Damage to the Vallue of ffoure thousand pounds of Tobacco and thereupon they bring their Suite And the plantiffes bring here in Court the Letters Testamentary of the Estate of the said Henry Lewis That Itt may appeare to the Court here That she thereof is Executrix And the said Theophilus and Alice by Robert Ridgely their Attorney Come & defend the force and injury when &c and Pray Liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him the same day is given to the plantiffe Likewise

Now here att this day to witt the Two and Twentyeth day of ffebruary in the sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq̃ Dominj 1680 Came the said partyes by their Attorneys aforesaid, & the said Theophilus and Alice by their said Attorney Say, That the said John and Elizabeth their ac̃on aforesaid against them ought not to have Because they say that by Certaine Act of Assembly made att a Generall Assembly held att S^t Maryes the thirteenth day of Aprill 1669 Intituled an Act for Limitãcon of Certaine Accons for avoyding suites at Lawe (Itt is Enacted) That all ac̃ons of Trespasse Quare Clausum fregit, all ac̃ons of Trespas Detinue Surtrover & Replevin for takeing away goods and Chattles, all ac̃ons of account Contract and debt booke and upon the case, other then such account as Concerne the Trade of Marchandize betweene Marchant and Marchant their ffact^{rs} or Servants w^{ch} are not Resident within this Province, All ac̃ons of debt for Lending or Contract without Specialty, All ac̃ons of debt for arreareages of Rent, and all ac̃ons of assault Manace battery wounding & imprisonment or any of them w^{ch} shall bee Sued or brought by any person or psons within this Province, att any time after the end of that p^rsent gen^l Assembly, shall bee Comenced and sued within the time and Limitacon hereafter Expressed, and not after, (that is to say) The said accons of the case (other then for Sland^r) and the said ac̃ons for Account, and the said ac̃ons for Trespasse, debt, detinue, and replevin, for goods and Chattles, and the said ac̃ons for Trespasse Quare Clausum fregit, within Two Years. after the end of that present Session of Assembly, or within Two yeares after the Cause of such ac̃on, and not after, and the said ac̃ons of the case for words, and ac̃ons of Trespasse of Assault and battery wounding and imprisonment or any of them within One yeare next after the end of that p^rsent gen^l Assembly or within one Yeare after such Cawse of ac̃on and not after, as by the said act Relãcon being thereunto had more fully and more at large it doth & may appeare w^{ch} Act of Assembly is now in force within this Province, and the same ac̃on Comenced by the said John and Elizabeth against the said Theophilus and Alice is an ac̃on of the Case, and Limited by the said Statute to bee brought in Two yeares, Whereas the time Laid in the said Declaration that the Cause of ac̃on did arrise was the ninth day of August 1677, and the Originall

Liber W. C. writt in this Suite was sued out the third day of september 1680 Returnable the ffifth day of October ffollowing, And the said Theophilus and Alice say That from the said Ninth day of August 1677 To the said Third day of September 1680 is three yeares and three weekes, soe that the said accon of the said John and Elizabeth against them in manner and forme aforesaid comenced is by the Statute aforesaid barred, and this they are ready to averre, & thereupon Demand Judgment if the aforesaid John and Elizabeth their accon aforesaid against them ought to have, Whereupon the Said plantiffes refuse to make any further prosecucon against the said defendants in the plea aforesaid Therefore Itt is Considered that the said John Bird and Elizabeth his wife take nothing by their writt aforesaid but bee in mercy for their false Claime thereupon, and that The said Theophilus and Alice may goe thereof without day, and that the said Theophilus Hacket and Alice his wife Recover against the said John Bird & Elizabeth his wife Ex^{ix} as aforesaid the sume of Nine hundred forty eight pounds of Tobacco for their Costs and charges by them about their defence in this behalfe Layd out and expended and the said Theophilus and Alice may have thereof Execucon

Gerrard Slye } **Memorandum** that the thirtyeth day of July in the
ag^t } fifth yeare of the Dominion of Charles Absolute
Joshua Doyne } Lord and Prop^{ry} of the Province of Maryland &
p. 337 } Avalon Lord Baron of Baltemore &c Came Gerrard
Slye by Robert Ridgely his Attorney before Philip Calvert Esq
Chancello^r of this Province, and prayed his Lopps writt of Erro^r to
him the said Gerrard Slye to bee granted, To the Justices of his
Lopps County Court of s^t Maryes County to bee directed. To require
them the said Justices of the said County Court of S^t Maryes
County to send before his Lopps Justices of his Provinciaall Court
the Teno^r of the Record proceedings and judgment of the said
County Court of S^t Maryes County in a Cawse lately there depend-
ing betweene one certaine Joshua Doyne plantiffe and the said
Gerrard Slye defendant in a plea of Trespasse upon the case, The
Teno^r of w^{ch} writt followeth Viz

Charles absolute Lord and Prop^{ry} of the Provinces of Maryland
and Avalon Lord Baron of Baltemore &c To Our Comission^{rs} of
S^t Maryes County Greeting. Because in the Record and processe as
also in the Rendring of Judgment before you in o^r sd Court manifest
Erro^r hath happened to the greate damage of the said Gerrard Slye
as by the greate Complaint of the said Gerrard wee have received,
Wee willing that the Erro^{rs} (if any bee) should in due manner bee
Corected, and full and speedy Justice to bee done to the said partyes
in this behalfe, Doe Comand you that the Record and Processe of
the said Judgment with all things touching the same, before our

Justices of our Provincia^l Court to bee held att our Citty of Liber W.C.
 S^t Maryes the ffifth day of October next und^r yo^r hands and seales
 distinctly and openly you send, That inspec^on being had of the
 Record and proceedings therein Wee may Cawse further to bee done
 what of right and according to the Lawes and Constitucons of this
 Province ought to be done therein, and that you have there this writt
Witnesse our self at o^r Citty of st Maryes the thirtyeth day of
 July in the fifth yeare of o^r Dominion &c Annoq Dominj i680

On the backside of the above recited writt was Endorsed Viz the
 Record is sent to the prov^l Court according as within required

Thomas Grunwyn Ct.

Att a Court held att Newtowne for the Right hono^{ble} the Lord
 Prop^{ty} and for the County of S^t Maryes the Twenty fifth day of
 November Annoq Dominj 1679

Present	Capt Gerrard Slye	{ Mr Joshua Doyne Mr Rich ^d Gardner Mr James Bowling Mr Thomas Mudd Mr John Dent }	Comiss ^{rs}
	M ^r W ^m Hatton		
	M ^r Rich ^d Lloyd		
	M ^r Clement Hill		
	M ^r Joseph Pile		

Joshua Doyne P^{lt} } S^t Maryes County ss
 Gerrard Slye Deft }

Gerrard Slye late sheriffe of S^t Maryes County
 one of the Justices of this Court was sumoned to answere unto
 Joshua Doyne also one of the Justices of this Court in a plea of
 Trespasse on the case

And Whereupon the said Joshua in his Prop pson Complaineth
 That Whereas one Nathanael ffisher Upon the last day of September
 in the yeare of our Lord i676 by his Certaine bill or writeing
 obligatory acknowledged himself to owe and bee Justly indebted
 unto the said Joshua Doyne in the full and just Sume or Quantity
 of Seaven hundred sixty pounds of Tobacco and Casq To be paid
 to the said Joshua his heires Executo^{rs} adm^{rs} or assignes att or upon
 the first day of November next Convenient for Shipping in the said
 County, for the w^{ch} payment well and Truely to bee made hee bound
 himself his heires Executo^{rs} and Adm^{rs} firmly by those p^{rs}ents,
 w^{ch} said seaven hundred Sixty nine pounds of Tobacco the said
 Nathanael ffisher although hee had been often required hath not
 paid to the said Joshua ffor Recovery of w^{ch} said seaven hundred
 Sixty nine pounds of Tobacco the said Joshua the Eight day of
 March in the yeare of our Lord i676 Did prosecute out of his
 Lopps Court of S^t Maryes County a certaine writt against the said
 Nathanael ffisher of a plea of debt Directed to the then sheriff of
 s^t Maryes County, By w^{ch} said writt the said sheriffe was Comanded
 That hee should take the body of the said Nathanael ffisher and him
 safe Keepe Soe that hee should have his body before the Justices

Liber W. C. of the said County Court to bee held att Newtowne on the ffirst Tuesday in June then next To answere unto Joshua Doyne in a plea that hee Render unto him the sume of seaven hundred sixty nine pounds of Tobacco w^{ch} to him hee owed and unjustly detained, and that hee should have there then the said writt, W^{ch} said writt was directed to the then sheriffe of the County aforesaid to bee Executed, And hee did at the first Tuesday in June aforesaid make retorne of the said writt. Cepi et Languidus) That is to say that hee had taken the body of the within named Nathanael ffisher as by the said writt hee was Comanded, and that hee was Languishing in Prisson, Afterwards to witt the sixth day of November in the yeare of our Lord 1677 Came before his Lopps Justices of the County Court aforesaid, The said Joshua Doyne by Henry Bonner his Attorney and offered himself against the said Nathaniel ffisher in the plea aforesaid, and the said Nathanael ffisher in his prop pson Came likewise, and the said Nathanael ffisher sayth nothing in barre or avoydance of the accon aforesaid of him the said Joshua Doyne, for that hee oweth unto the said Joshua Doyne the sume of seaven hundred sixty nine pounds of Tobacco in manner and forme as is before declared against him Therefore Itt was Considered by the Justices of the said County Court That the said Joshua Doyne should Recover against the said Nathan^l ffisher aswell the sume of seaven hundred sixty nine pounds of Tobacco the debt aforesaid as also the sume of Two hundred ninety five pounds of Tobacco Costs of suite, w^{ch} said writt the said Joshua afterwards & before the Returne of the Same writt, Att Newtowne in the County aforesaid to the said Gerrard Slye being then sheriffe of the County afors^d Delivered in forme of Law to bee Executed, By reason of w^{ch} said writt the said Gerrard slye afterwards and before the Returne thereof as aforesaid, the said Nathanael ffisher for the Cawse aforesaid Did take and Arrest, and him the said Nathanael und^r his

p. 339 Custody had and Kept, and the said Nathanael ffisher und^r the custody of the Said Gerrard for the Cawse aforesaid in forme aforesaid being, The said Gerrard Afterwards (that is to say) upon the Twentyeth day of January in the yeare of our Lord 1677 aforesaid Then being sheriffe of the County aforesaid, the Said Nathanael ffisher out of his Custody, and without the Licence & Contrary to the will of the said Joshua, the said Joshua of the debt and Costs aforesaid Amounting in the whole to the sume of One thousand sixty foure pounds of Tobacco not being Satisfyed Did suffer freely to goe att Large whether hee would. To the manifest losse of the debt aforesaid Whereupon hee sayth hee is the worse and hath damage to the Vallue of Three thousand pounds of Tobacco And thereupon hee brings his suite

Pledges de psec: John Doe } Rob^t Carvile p quer
 Rich: Roe }

And the said Gerrard Slye by Robert Ridgely his Attorney Com-
eth and defendeth the force and injury when &c And the said Ger-
rard sayth That the aforesaid Joshua his accon aforesaid against
the said Gerrard in this Court cannot mainteyne Because hee sayth
that the same is not within the Jurisdiccon of this Court nor Can
this Court hold plea thereof, and this hee is ready to averre. and
thereupon demands Judgment of the Court if the aforesaid Joshua
his accon aforesaid in the Court aforesaid Can Maintaine

Ridgely p Deft

And the plaintiffe alsoe—Rob: Carvile

Whereupon Itt was the Judgment of the Court that the accon
is wthin the Jurisdiccon of the Court

Now here att this day to witt the Twentyeth day of Novemb^r
in the fourth yeare of the Dominion of Charles &c Annoq Dominj
1679 Came the said Joshua Doyne by his Attorney aforesaid and
Offered himselfe against the said Gerrard Slye in the plea aforesaid
but the said Gerrard slye Came not but made default, Therefore
Itt is Considered by the Court here that the said Joshua Doyne
Recover against the said Gerrard Slye aswell the sume of One
thousand sixty nine pounds of Tobacco Damages occasioned by the
Trespas aforesaid As also the sume of Two hundred seaventy seaven
pounds of Tobacco Costs of suite

Coppyed from the Records this third day of
september 1680

p Thomas Grunwyn Clike

Subscribed and sealed by us und^rwritten

Comission^{rs} of St Maryes County Viz

Richard lLoyd (: sealed) Thomas Mudd (sealed)

Clement Hill (. sealed) John Dent (sealed)

And the said Gerrard Slye sayth That in the Record and processe
aforesaid as in the Rendring of Judgment aforesaid Itt is Erred in
this, In that the Comission from the Right hono^{ble} the Lord Prop^{ty} to
the said Justices of the said County Court of St Maryes County Did
give them noe other Power then to heare and determine all Cawses
and accons of debt whether by Bond bill or account or Trespasse upon
the case ariseing from an account Whereas the said accon of the said
Joshua Doyne against the Said Gerrard Slye was an accon of Tres-
passe upon the case against the said Gerrard Slye late sheriffe of
St Maryes County for a Misfeazance in his Office, viz, for the Escape
of one Nathanael ffisher, and was not within the said Justices Co-
mission to try Nor Could that Court hold plea thereof, and the Over-
ruleing the said Gerrard Slys plea to the Jurisdiccon of the said
Court in the said proceedings recited, and the Judgment given in the
said Cawse being Coram non Indice is manifest Erro^r: p. 340

And the said Gerrard Slye Prayeth That the Judgment aforesaid
for those Erro^{rs} and others in the Record and Processe aforesaid be

Liber W. C. Revoaked Annulled and held for nought, and that hee to all those things which hee by occasion of the premisses hath lost be restored, and that the said Joshua to the said Erro^{rs} may answer

And the said Joshua Doyne by Robert Carville his Attorney prayeth the hearing of the Erro^{rs} aforesaid, and they are read unto him, w^{ch} being Read and heard the said Joshua prayeth Liberty of speaking thereto untill next Provinciaall Court, and Itt is granted unto him. And the same day is given to both parties

Now here at this day to witt the Eighteenth day of ffebruary in the Sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Domini 1680 Came the said parties by their Attornyes aforesaid And the said Joshua Doyne by his said Attorney sayth, That in the Record and processe aforesaid. and in the Rendring the Judgment of the County Court of St Maryes County aforesaid Itt is in nothing Erred, and of this hee prayeth the Judgment of the Court, and that the said Judgment of the County Court may bee affirmed,

And hereupon the Record and Processe aforesaid To the Rendring the Judgment thereupon, and the aforesaid Causes and matters by the aforesaid plantiffe for Erro^{rs} assigned being seene and by the Justices here fully understood and dilligently examined, And for that Itt appeareth to the same Justices, That in the Record and processe aforesaid as also in the Rendring the Judgment aforesaid Itt is manifestly Erronious, Therefore itt is Considered that the Judgment aforesaid for the Erro^{rs} in the Record and pcesse aforesaid bee Revoaked adnulled and altogether held for nothing, and that the said Gerrard Slye unto all things w^{ch} by occasion of the Judgment aforesaid hee hath lost bee Restored, And that the said Gerrard Slye Recover against the said Joshua Doyne the sume of One thousand Eight hundred and Eleaven pounds of Tobacco for his Costs of suite in this behalf Laid out and Expended

p. 341	Nicholas Painter & Judeth his wife Adm ^x of W ^m Parker ag ^t John Loftis	}	John Loftis late of Calvert County was Sumoned to answer unto Nicholas Painter and Judeth his wife Adm ^x of all & singuler the goods Chattles rights and Credits w ^{ch} were of William Parker deceased of a plea that hee render unto them the Sume of ffive hundred pounds of Tobacco w ^{ch} from them hee unjustly deteineth
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And Whereupon the said Nicholas Painter and Judeth his wife by Robert Ridgely their Attorney say. That Whereas the said William Parker the Tenth day of November in the yeare of our Lord 1678 Did demise to the said John Loftis all that parcell of Land Called Whittles Rest Containing by Estimacon Two hundred and ffifty acres of Land wth the appurtenances scituate on the Clifs neare

Liber W. C.

the head of Parkers Creeke in Calvert County aforesaid, To have and to occupy to him the said Jn^o Loftis & his assignes from the said Tenth day of November in the yeare aforesaid to the end and Terme of one year thence next following fully to bee Compleate & ended Rendring therefore to him the said William Parker or his assignes five hundred pounds of Tobacco on the Tenth day of November w^{ch} should bee in the yeare of our Lord One thousand Six hundred seaventy nine, By vertue of which Demise the said John unto the said Two hundred and ffifty acres of Land wth the appurtenances did Enter and was thereof posessed for and dureing the space of one whole year (that is to say) from the said Tenth day of November in the year One Thousand Six hundred and Seaventy eight aforesaid, untill the Tenth day of November in the yeare of our Lord One thousand Six hundred seaventy nine aforesaid, and the said Summe of ffive hundred pounds of Tobacco the yeares rent aforesaid Ending the said Tenth day of November in the yeare of our Lord One thousand six hundred seaventy nine aforesaid, was behinde and yet remaines unpaid, by Reason Whereof accon hath accrued to the said William in his life time to require and have of the said John the said Summe of ffive hundred pounds of Tobacco due for the yeares rent aforesaid, Yet the aforesaid John to him the said William in his life time, Nor to the said Judeth whilst She was sole (To whome Administracon of all and singuler the goods Chattles Rights and Creditts w^{ch} were of the said William in his life time Since his death have beene Comitted) Nor to the said Nicholas and Judeth since the Nuptials betweene them Celebrated, hath not payd although often thereunto required, but the same to pay hath denyed and as yet doth denye in Retardacon of the Administracon aforesaid. And Whereupon they say they are damnified and have Losse to the Vallue of sixtene hundred pounds of Tobacco, And thereupon they bring their Accon. And the aforesaid Plantiffes bring here into Court the Letters of Administracon of the Estate of the said William Parker to the said Judeth granted That it may appeare to the Court here that she thereof is Administratrix

And the said John Loftis by George Parker his Attorney Cometh and defendeth the force and Injury when &c and Prayeth Liberty to imparle hereunto untill next Provinciaall Court. and It is granted unto him. The same day is given to the plantiffe Likewise

Att w^{ch} said next Provinciaall Court to witt the nineteenth day of february in the Sixth year of the Dominion of the Right honorable Charles Lord Baltemore &c Annoq Dominj 1680 Come the said ptyes by their Attorneys aforesaid, and the said John Loftis by his said Attorney sayth That they the said Nicholas Painter and Judeth his wife their accon aforesaid against him the said John ought not to have because hee sayth that the said William Parker the Tenth day of November in the yeare of our Lord god 1678 Did not demise to

p. 342

Liber W.C. him the said John Loftis the said parcell of Land called Whittles Rest Containing by Estimacon Two hundred and fifty acres wth the appurtenances scituate on the Clifts neare the head of Parkers Creeke in Calvert County aforesaid To have and occupy to him the said John Loftis and his assignes from the said Tenth day of November in the yeare aforesaid to the end and Terme of one yeare then next following, Nor was hee the said John Loftis. to Render therefore to him the said William Parker or his assignes the Sume of ffive hundred pounds of Tobacco on the Tenth day of November 1679, Nor did hee the said John Loftis by vertue of any such Demise Enter into the said Two hundred and ffifty acres of Land with the appurtenances, Nor was hee the said John Loftis att anytime possessed of the said parcell of Land Called Whittles Rest Containing Two hundred and fifty acres of Land in such manner and forme as the said Nicholas Painter and Judeth his wife above against him have Declared, and of this hee puts himself upon the Country And the plantiffe likewise, Itt is therefore Comanded the Sheriffe of S^t Maryes County that hee Cause to come here Twelve &c by whome &c. and who neither &c To Recognize &c because aswell &c:

On w^{ch} said Nineteenth day of ffebruary in the yeare aforesaid came the said partyes by their Attorneys, aforesaid, And the Juro^{rs} impannelled being called Likewise Came (to witt, Richard Loyd. Michael Ashford William Wells. John Gray. Edward Abbott, Emanuel Ratliffe. John Evans. John Wynne Edward Morgan, John Martindale, Jn^o Browne & Henry Morgan Who being elected tryed and sworne to say the truth in the premises Upon their Oathes doe say That the said William Parker did on the Tenth day of November in the yeare of o^r Lord god 1678 Demise to him the said John Loftis the said parcell of Land called Whittles Rest Containing Two hundred and ffifty acres, in such manner and forme as the said Nicholas Painter and Judeth his wife above against him have Declared, and that the said John Loftis was to render Rend^r therefore to him the said William Parker or his Assignes the sume of ffive hundred pounds of Tobacco on the Tenth day of November 1679, and that the said John Loftis by vertue of the said Demise did Enter into the said Two hundred and ffifty Acres of Land with the appurtenances and was thereof possessed for and dureing the space of one whole yeare, That is so say from the said Tenth day of Novemb^r in the yeare of our Lord 1678 afores^d untill the Tenth day of Novemb^r in the yeare of our Lord 1679, And that the said Sume of ffive hundred pounds of Tobacco the yeares rent aforesaid Yet Remaines unpaid Therefore Itt is Considered by the Court here that the Said Nicholas Painter and Judeth his wife Administratrix as aforesaid Doe Recover against the said John Loftis aswell the aforesaid sume of ffive hundred pounds of Tobacco the debt aforesaid, as also the sume of One Thousand three hundred forty Eight pounds of Tobacco Costs of Suite. And. the Deft in mercy &c.

Henry Mitchell } William Taylor late of Charles County in the Prov- Liber W. C.
 ag^t } ince of Maryland Planter, Otherwise called Wil-
 William Taylor } liam Taylor in Charles County of the Province of
 Maryland was Sumoned to answer unto Henry
 Mitchell of Calvert County in the Province aforesaid of a plea that
 hee Render unto him the Sume of Two thousand pounds of Mar-
 chantable Tobacco in Casq^s w^{ch} to him hee oweth and unjustly
 detaineth

And Whereupon the said Henry Mitchell by George Parker his
 Attorney sayth That Whereas the said William Taylor upon the
 thirteenth day of September in the yeare of our Lord god 1676 By
 his certaine bill or writeing obligatory Sealed wth the Seale of the
 said William Taylor and here in Court produced, whose date is the
 day and yeare above written Did acknowledge himself to owe and
 bee indebted unto Henry Mitchell of Calvert County in the Province
 aforesaid in the sume of Two thousand pounds of Marchantable
 Aronoco Tobacco in Casq^s, To bee payd to the said Henry Mitchell
 or to his Certaine Attorney his heires Executo^{rs} Adm^{rs} or assignes
 upon Demand att some Convenient Plantacon in Calvert County
 aforesaid, Itt being for a Valluable Consideracon in hand already
 received, To w^{ch} payment well and truely to bee made the said
 William Taylor did binde himself his heires Executo^{rs} and Adm^{rs}
 firmly by those p^{rs}ents, Notwithstanding w^{ch} the said William
 Taylor the said sume of Two thousand pounds of Tobacco to him
 the said Henry Mitchell though often demanded hath not paid or
 satisfyed but the same to pay and Satisfy hath hitherto denied, and
 still doth denye & refuse to pay the same Whereupon the said Henry
 sayth he is Damnyfied and hath Losse to the Vallue of three Thou-
 sand pounds of Tobacco And thereupon hee brings his suite

And the said William Taylor by George Thompson his Attorney
 cometh & defendeth the force and Injury when &c and prayeth Lib-
 erty to imparle thereunto untill next Provinciall Court and Itt is
 granted unto him, The same Day is given to the Plantiffe Likewise

Now here att this day to witt the Eighteenth day of ffebruary in p. 344
 the Sixth yeare of the Dominion of the right Honorable Charles Lord
 Baltimore &c Annoq^{ue} Domini 1680 Came the said partyes by their At-
 torneys aforesaid, and the said William Taylor by his sayd Attorney
 sayth That hee is not informed by the said William of any answer
 by him to the action of the said Henry to bee given, and nothing
 else sayth thereupon, By w^{ch} the said Henry Remaineth against the
 said William thereof wholly undefended Therefore Itt is Considered
 that the said Henry Mitchell Recover against the said William
 Taylor aswell the sume of Two Thousand pounds of Tobacco debt,
 as also the Sume of Thirteene hundred and eighty pounds of To-
 bacco Costs of Suite and the defendant in mercy &c

Liber W. C. Robert Carvile } Robert Thompson of Charles County, otherwise
 ag^t } Called Robert Thompson of Charles County in
 Robert Thompson } the Province of Maryland gentl was Sumoned
 to answeare unto Robert Carvile one of the Attor-
 neys of this Court according to the Libertyes and priviledges &c
 of a plea that hee Rend^r unto him the Just quantity of Twelve hun-
 dred pounds of Tobacco, w^{ch} to him hee oweth & unjustly Detaineth

And whereupon the said Robert in his prop pson sayth That
 Whereas the said Robert Thompson on the Twentyeth day of
 November Anno Domini 1676. By his Certaine writeing obligatory
 sealed with the seale of him the said Thompson and herein Court
 produced, whose date is the Same day and yeare above written, Did
 acknowledge himselfe holden and firmly bounden unto the said
 Robert Carvile of S^t Maryes County gentl in the full and just
 Quantity of Twelve hundred pounds of good sound Marchantable
 Tobacco and Casq To bee paid unto the said Robert Carvile his
 heires Executo^{rs} Adm^{rs} or assignes in Some Convenient place in
 Charles County att or Upon the Tenth day of December then next
 Ensueing, the date thereof, To the w^{ch} payment well & Truely to
 bee made hee did binde himself his heires Ex^{rs} and Adm^{rs} firmly
 by those p^{rs}ents, Notwithstanding w^{ch} the said Rob^t Thompson
 the said Quantity of Twelve hundred pounds of Tobacco unto him
 the said Robert Carvile hath not paid though often thereunto re-
 quired But the same to pay hitherto hath and still doth altogether
 denye To the damage of the Said Robert Carvile Two thousand
 pounds of Tobacco, And thereupon hee bringeth his suite

And the said Robert Thompson by Thomas Burford his Attorney
 cometh and defendeth the force and injury when &c and Prayeth
 liberty to Imparle hereunto untill next Provinciaall Court and Itt is
 granted unto him. The same day is given to the plantiffe Likewise

p. 345 Now here att this day to witt the Two and Twentyeth day of
 ffebruary in the sixth yeare of the Dominion of the Right Honoble
 Charles Lord Baltemore &c Annoq Dominj 1680 Came the said
 Robert Carvile in his prop pson and Offered himself against the
 said Robert Thompson in the plea aforesaid, but the said Robert
 Thompson came not but made default Therefore Itt is Considered
 that the said Robert Carvile Recover against the said Rob^t Thomp-
 son aswell the aforesaid Sume of Twelve hundred pounds of To-
 bacco debt as also the sume of ffive hundred forty foure pounds of
 Tobacco Costs of suite & the Deft in mercy &c.

Marke Cordea } John ffisher late of S^t Maryes County Maryner was
 ag^t } attached to answeare unto Marke Cordea of a plea
 John ffisher } of Trespasse of the case

And Whereupon the said Marke by Robert Car-
 vile his Attorney Complaineth That Whereas the said John Upon

the Twentyeth day of Aprill 1679 was Master of the good shipp Liber W. C.
 called the Maryland Marchant, then Rideing att Anchor in st Georges
 River in st Maryes County, in w^{ch} shipp the said Marke had Con-
 cernes of ffraight, Hee the said John ffisher being then in greate
 want of an Anchor for a Sloope or Longboate to the said Shipp
 belonging Did desire the assistance of the said Marke to procure
 for him the said John ffisher an Anchor for the said sloope or
 Longboate, And in Consideracon that the said Marke att the speciall
 instance and request of him the said John ffisher would procure for
 him the said John an Anchor as aforesaid, hee the said John Did
 then and there assume upon himself and to the said Marke faith-
 fully promise, That hee the said John ffisher would returne the said
 Anchor againe safe and sound & make satisfac^{on} for the Loane
 thereof what should bee reasonable, or in case the same Anchor
 should bee lost or Damnified to satisfy and pay unto the pty of
 whome the said Marke should procure the same, what the same
 should bee reasonably worth And the said Marke in fact sayth
 that accordingly the said Marke did pcure for him the said John
 ffisher of one Gilbert Turbervile of the said County a good Sub-
 stanciall Anchor for the purpose aforesaid, And the said John
 ffisher in the begining of the Moneth of May following received
 the same from the said Gilbert Turbervile and imployed the same
 in the Service of him and the shipp aforesaid for Some time,
 and not long after the said Anchor. by the negligence or Care-
 lesnesse of the said John ffisher or his seamen was lost and soe the
 said Marke became lyable to make satisfac^{on} for the same accord-
 ing to the vallue thereof, And the said Marke further in fact sayth
 That hee the said Marke did pay unto the said Gilbert Turbervile
 the Sume of Two pounds ffifteene Shillings Ster^t for the said
 Anchor. & Notwthstanding the said Marke hath often demanded of
 the said John ffisher to repay him the said Marke the said sume of
 Two pounds ffifteene shillings Sterling soe by him payd as afore-
 said Yet the said John hath not hitherto paid the same but doth
 denye and refuse to pay the same according to his promise & assump-
 tion aforesaid, Whereupon the said Marke sayth hee is damnified
 & hath losse to the vallue of Sixteene hundred pounds of Tobacco,
 And thereupon hee bringeth his suite

And the said John ffisher by Kenelm Cheseldyn his Attorney com- p. 346
 eth & Defendeth the force and injury when &c and prayeth Liberty
 to imparle hereunto untill next Provinciaall Court and itt is granted
 unto him the same day is given to the Plantiffe likewise

Att w^{ch} said next Provinciaall Court (to witt) the one and Twenty-
 eth day of ffebruary in the sixth yeare of the Dominion of the
 Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680
 came the said partyes by their Attorneys aforesaid, and the said
 John ffisher by his said Attorney sayth That the said Marke his

Liber W. C. accon aforesaid against him the said John ought not to have for that hee Sayth hee did not pmise and assume upon himself in manner and forme as the said Marke above against him hath Declared, and of this hee puts himself upon the Country, And the plantiffe likewise. Itt is therefore Comanded the Sheriffe of S^t Maryes County that hee Cawse to come here Twelve &c by whome &c and who neither &c To Recognize &c because aswell &c

On w^{ch} said One and Twentyeth day of ffebruary in the yeare aforesaid Came the said partyes by their Attorneys aforesaid, and the Juro^{rs} impannelled being called Likewise came (To witt) Anthony Dawson, Thomas Hinton, Simon Spratling. William Harper, Jn^o Powell George Powell William Harris, Thomas, Waughopp William Reede John Bailey, Henry Hardy, & Thomas Jones, Who being elected Tryed and Sworne to say the truth in the premisses Upon their Oathes doe say, That the said John ffisher did not promise and Assume upon himself in manner and forme as the said Marke above against him hath Declared Therefore Itt is Considered that the said Marke Cordea take nothing by his writt but bee in mercy for his false Claime thereupon, and that the said John ffisher may goe thereof without day, and that the said John ffisher Recover against the said Marke Cordea the Summe of six hundred ninety six pounds of Tobacco for his Costs and charges by him about his defence in this behalfe Laid out and Expended, and the said John May have thereof Execu^{con} &c

Hugh Reynolds	} Thomas Hebb late of S ^t Maryes County was at-
ag ^t	
Thomas Hebb	

tached to answ^r unto Hugh Reynolds of a plea of Trespasse of the case

And Whereupon the said Hugh by Robert Carvile his Attorney sayth That the said Hugh upon the six or seaven & twentyeth day of May last past 1680 being posessed of one paire of Stilliards & pea to the same belonging of the vallue of Eight hundred pounds of Tobacco, w^{ch} the said Hugh had then before borrowed of one Emanuel Ratliffe of S^t Georges hundred in the said County and for w^{ch} the said Hugh was to make the said Emanuel satisfac^{con} in case the same stilliards were lost or any wayes Spoyled, and the Same stilliards being then on board the shipp Ann and Elizabeth of Liverpoole whereof the said Hugh was Mast^r Then Rideing att Anchor in st Georges River in the said County, Hee the said Thomas comeing on board the said Shipp & being Sonn in Law to the said Emanuel Ratliffe The said Hugh Desired the said Thomas Hebb to take the said stilliards and pea into the custody of him the said Thomas Hebb and to Carry the same safe home to the house of the said Emanuel whether hee said hee was going, and deliver the same to him the said Emanuel, w^{ch} hee Seemed willing to doe, And thereupon the said Hugh to gratify the said Thomas

for his Paines. Tooke the said Thomas Hebb into the Cabbin of the said shipp and there Civilly Treated him the said Thomas Hebb and gave him seaverall dramms of Spirits Strong beere and other Liquors and such other accomodacons as the shipp then afforded, And in Consideraçon thereof the said Thomas Hebb did assume upon himself and to the said Hugh Reynolds did faithfully promise That hee the said Thomas the said stilliards and pea aforesaid would safely carry & deliver to the said Emanuel Ratliffe, And the said Hugh in fact sayth that the said Hugh did then and there deliver to the said Thomas the Stilliards and pea aforesaid to carry and deliver to the said Emanuel as aforesaid, and the same being in the posession and Custody of the said Thomas. He the said Thomas did then and there negligently and Carelesly Throw the said stilliards over the side of the said Shipp into st Georges River By reason whereof the said stilliards were lost soe as the said Thomas could not deliver the same to the said Emanuel according to his promise aforesaid, By meanes whereof the said Thomas Hebb is become lyable to make the said Hugh Payment and satisfaccon for the said Stilliards soe lost as aforesd The said Hugh haveing made the said Emanuel satisfisfaccon for the same And Notwithstanding the said Hugh hath often demanded of the said Thomas to make satisfaccon for the stilliards aforesaid according to the vallue aforesaid Yet the said Thomas hath hitherto denyed and still doth denye to pay and satisfy to the said Hugh for the stilliards aforesaid, To the damage of the said Hugh sixteene hundred pounds of Tobacco And thereupon hee bringeth his suite

And the said Thomas Hebb by Robert Ridgely his Attorney cometh and Defendeth the force and injury when &c and Prayeth liberty to imparle hereunto untill next Provinciaall Court and it is granted unto him the same day is given to the plantiffe Likewise

Now here att this day to witt the Three and Twentyeth day of february in the sixth yeare of the Dominion of the Right honoble Charles Lord Baltemore &c Annoq Dominj 1680 Came the said parties by their Attorneys aforesaid and the said Thomas Hebb by his said Attorney sayth That the aforesd Declaraçon of the said Hugh Reynolds and the matter in the same Contained is not sufficient in Law to maintaine the accon of the sd plt against the said deft, Now to the same Declaraçon hee hath noe neede, nor by the Law of the Land is bound to answere, and hee to the same Declaraçon Demurreth in Law. and for Causes of Demurrer according to the forme of the statute in that case provided hee sheweth forth (viz) That the accon of the said Hugh against the said Deft is an accon of Trespasse upon the case upon a special promise of the said defts to carry the stilliards and Pea mentioned in the said Declaraçon to Emanuel Ratliffe in the Declaraçon named, and that in all such acccons there ought to bee a certaine consideracon to ground the

Liber W. C.

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Liber W. C. said promise on, Whereas the Considera^{co}n Laid in the said Declara^{co}n to ground the defts promise to the plt on is, That the Plan^{ti}f^fe tooke the deft into the Cabbin of the said shipp and there Civilly Treated the said deft, and gave him seaverall Drams of Spirrits, and Strong beere and other Liquors, and Such other accomoda^{co}n as the shipp afforded, and hath not sett forth what quantity of Liquors, or what Vallue they were off, w^{ch} is altogether uncertaine, and is therefore onely a Naked Contract from w^{ch} by Law noe a^{co}n can arrise, And this hee is ready to Averre and therefore demands Judgment of the said Declara^{co}n and if the said Hugh Upon the Same his a^{co}n aforesaid Against him can maintaine, And Hereupon the premisses being seen and by the Justices here fully understood & Dilligently Examined Itt seemeth to the same Justices here That the said writt of the aforesaid plantiffe and the Declara^{co}n thereupon made are insufficient in Law to maintaine him the said Hugh Reynolds to have his said a^{co}n against the said Thomas Hebb, Therefore Itt is Considered that the said Hugh Reynolds take nothing by his writt aforesaid but bee in mercy for his false plaint thereupon, and that the said Thomas Hebb may goe thereof without day. And that the said Thomas Hebb Recover against the said Hugh Reynolds the sume of seaven hundred sixty nine pounds of Tobacco for his Costs and charges by him about his defence in this behalfe Laid out and Expended And the said Thomas may have thereof Execu^{co}n

Martin Stampe	} Benjamin George and Thomas George late of St Maryes County Plant ^{rs} Otherwise called
ag ^t	
Benjamin George & Thomas George	
	} Benjamin George and Thomas George both of Poplar Hill in st Maryes County in the Province of Maryland planters Were sumoned to

answere unto Martin Stampe of the Citty of London in the Kingdome of England gent^l of a plea that they render unto him the full and Just sume of Tenn thousand pounds of good sound Marchantable Tobacco & Casq w^{ch} to him they owe and unjustly detaine

And Whereupon the said Martin stampe by Robert Ridgely his
 p. 349 Attorney sayth That whereas the said Benjamin George and Thomas George the fifteenth day of Aprill Annoq Dominj i680 by their Certaine bond or writeing obligatory Sealed with the seale of them the said Benjamin and George & here in Court produced whose date is the same day and yeare aforesaid, Did acknowledge themselves to owe and stand Justly indebted unto the said Martin Stampe of the Citty of London in the Kingdome of England gent^l in the full & Just Sume of Tenn thousand pounds of good sound Marchantable Tobacco and Casq To be payed Conveniently in st Maryes County to the said Martin Stampe his Lawfull Attorney Ex^{ts} Adm^{rs} or assignes, To w^{ch} payment well and truely to bee made the said

Benjamin George and Thomas George did binde them their selves Liber W. C.
Seaverally and Joyntly by himself for the whole their heires Executo^{rs} and Adm^{rs} firmly by those p^rsents, Notwithstanding which the said Benjamin and Thomas or either of them the said Sume of Tenn Thousand pounds of Tobacco to him the said Martin Stampe according to the Teno^r of the same bond or Writeing obligatory hath not payd Although often thereunto required, But the same to pay have Denyed and as yet doe Denye Whereupon the said Martin sayth hee is Damnyfied and hath losse to the Vallue of Twenty Thousand Pounds of Tobacco And thereupon hee bringeth his suite

And the said Benjamin George and Thomas George by Kenelm Cheseldyn their Attorney Come and defend the force and injury when &c and prayeth the hearing of the said bond or writeing obligatory and itt is read unto them, They Pray also the hearing of the Conclon of the same bond or writeing obligatory and itt is Read unto them in these words (Viz) The Conclon of this obligacon is such That if the above bounden Benjamin George his heirs Executors Adm^{rs} or assignes or any of them shall well and truely pay or cawse to bee payd upon his now Dwelling Plantacon att Poplar Hill, unto the abovenamed Martin Stampe, his Lawfull Attorney his heires Executo^{rs} Administrato^{rs} or assignes the full and just Sume of ffoure thousand and Eight hundred pounds of good and Cleane well Concloned Tobacco att or upon the Tenth day of Novemb^r next Ensueing the date hereof, That then this obligacon to bee voyd and of none Effect otherwise to stand and bee in full force & vertue: W^{ch} being Read and heard the said Benjamin George and Thomas George by their said Attorney Say That the day of the Obtaining the Originall writt of the aforesaid Martin Stampe to whome the said Benjamin is Supposed to bee indebted. the said Martin was not Liveing or in Rerum Natura, as by the writt aforesaid is supposed, and this hee is ready to averre Whereupon hee prayes Judgment of that writt &c.

And the said Attorney sayth that the said Martin Stampe in the writ named at the time of the issueing out the originall writ aforesaid was alive and in Rerum Natura & this hee prayeth may bee inquired of by the Country. And the def^{ts} alsoe

Itt is therefore comanded the sheriffe of st Maryes County that hee Cause to come here Twelve &c. By whome &c. and who neither &c To Recognize &c. because aswell &c

Now here att this day to witt the eighteenth day of ffebruary in the sixth yeare of Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 Came the the said parties by p. 350
their Attorneys aforesaid, and the Juro^{rs} impannelled being called Likewise came (To witt) Bartholomew Ennalls, Anthony Dawson, Thomas Hinton, John Wynn, William Harper, John Powell,

Liber W. C. George Powell, William Harris, Thomas Waughopp, William Reede Elias Nuthall & John Bailey, Who being elected Tryed and Sworne to say the Truth in the premisses Upon their oathes Doe say, That they finde by Violent presumption that Martin Stampe is Dead Therefore Itt is Considered that the said Martin Stampe take nothing by his writt aforesaid but bee in mercy for his false claime thereupon, and that the said Benjamin George and Thomas George may goe thereof without day. and also that the said Benjamin George and Thomas George Recover against the Estate of the said Martin Stampe the sume of _____ pounds of Tobacco for their Costs and charges by them about their defence in this behalfe Laid out and expended

John Lucumb } Joseph Pile late of St Maryes County gentl was attached to answer unto John Lucumb of London
 ag^t }
 Joseph Pile } Maryner of a plea of Trespasse upon the case

And whereupon the said John Lucumb his Attorney Complaineth that Whereas y^e said Joseph Pile was indebted to the said John Lucumb in the sume of ffoure pounds sixteen shillings and two pence starling, and being soe indebted the said Joseph did the ninth day of Aprill i680 in Consideraçon thereof Draw one bill of Exchange according to the custome of Marchants, and signed wth the proper hand of the said Joseph, and directed to one Certaine Thomas Toulson. by the name of M^r Thomas Toulson Marchant in London for the payment of the said ffoure pounds sixteene shillings and Two pence Sterl att Twenty dayes after sight of the said bill of Exchange to the said John Lucumb or his order, And the said Joseph Pile did then & there assume upon himself and to the said John Lucumb did faithfully pmise That if the said Thomas Toulson the said sume of ffoure pounds sixteene shillings and Two pence sterl to him the said John or his ord^r did not well and truely pay according to the Teno^r of the said bill of Exchange, That the said Joseph would well and truely pay the same when thereunto Required, And the said John in ffact sayth That on the second day of September Annoq Dominj i680 And in the Two and thirtyeth year of the Reigne of Our Sovereigne Lord King Charles the Second &c att the request of the said John Lucumb. Nicholas Hayward Notary and Tebellian Publicq Dwelling in London by Authority of his said Majesty admitted & sworne speaking to M^r Thomas Toulson of London Marchant Demanded of him if hee would pay the said Originall bill of Exchange for ffoure pounds Sixteene shillings and Two pence sterl Whereupon the said M^r Toulson answered That hee would not pay the said bill for want of advice, W^{ch} answere the said Notary having heard (att y^e request afores^d) had Protested and by those p^rsents did Protest aswell against Joseph Pile drawer of the said bill, as all others therein any wayes Obleiged ffor all costs damages & interests already Suffered, and hereafter to bee

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Suffered for want of payment of the said bill, All w^{ch} the said Notary because hee was p^sent and did see the same and did see heare and Know all the said things acted and done as they are before Recited the day and yeare and place aforesaid Did therefore to a Certaine Instrument of protest (being requested) Subscribe his name, and putt to his wonted & accustomed seale to Certifie and testify the premisses, w^{ch} Said Instrument of protest is by the said John here in Court produced, Now the said Joseph Pile Little regarding his promise and assumption to the said John made as aforesaid but plotting and fraudulently intending him the said John to deceive and defraude of the said ffoure pounds sixteene shillings and two pence sterl. The same ffoure pounds sixteen shillings and Two pence sterl to him the said John hath not paid although hee hath been often thereunto required, but doth utterly refuse to pay the same By w^{ch} the said John the whole proffitt gaines and advantage w^{ch} hee wth the said ffoure pounds sixteene shillings and Two pence, if it had been paid to the said John (according to the promise of the said Joseph in that behalfe made) by buying and selling and Lawfully bargaining with the same, might have had and gained, it now Totally lost and Deprived off Whereupon the said John saith hee is Damni-fyed and hath losse to the Vallue of Nine pounds sterl and there-upon hee bringeth his suite.

And the said John bringeth hereinto Court aswell the said bill of Exchange as the instrument of protest Whereby the premisses may the more sufficiently appeare unto the Court in Manner and forme aforesaid

Now here att this day to witt the seaventeenth day of ffebruary in the sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 The aforesaid Joseph Pile by Charles Boteler his Attorney Cometh and defendeth the force and injury when &c and sayth that hee cannot gainsay the accon aforesaid of the aforesaid John Nor but that hee oweth to the afores^d John the aforesaid Sume of ffoure pounds sixteen shillings and two pence sterl in manner and forme as the aforesaid John against him hath Declared, Therefore Itt is Considered by the Court here That the aforesaid John Recover against the aforesd Joseph aswell his debt of ffoure pounds sixteene shillings and two pence sterl aforesaid, as also his damages by occasion of deteyning his debt aforesaid to thirty shillings sterl, in all amounting to the sume of six pounds six shillings and Two pence sterling money, and also the sume of six hundred pounds of Tobacco Costs of suite in this behalfe expended, To the said John of his assent by the Court here adjudged, and the said Joseph in mercy &c Provided Execucon of the same Judgment doe cease untill the Tenth day of Aprill now next Comeing

Ridgely p quer :
Ch : Boteler p deft

Liber W.C.

Liber W. C. Maryland ss

Know all men by these p^rsents That Whereas I Joseph Pile of
st Maryes County gent^l am indebted unto John Lucumb of London
Maryno^r in the full sume of ffoure pounds sixteene shillings and
p. 352 two pence ster^l money of England being due by bill of Exchange
protested: These are therefore to impower and authorize you or
any or Either of you to Confesse Judgment for the same with
damages for the protest in the Provincia^l Court of this Province,
And for Your Soe doing this shall bee your Warrant As witnesse
my hand and Seale the ffifth day of January Annoq^{ue} Dominj 1680
Joseph Pile (sealed)

To Christopher Rousby Esq^{ue} Charles Boteler gent^l

Robert Carvile gent^l. Or either of them

Witnesse

Rob^t Ridgely. Anthony Underwood

ffebbruary the seaventeenth 1680

The above warrant of Attorney was proved in open Court by the
oath of Anthony Underwood one of the witnesses thereunto

John Lucumb	}	Henry Exon late of s ^t Maryes Citty Innhold ^r , other-
ag ^t		wise called Henry Exon was Sumoned to answe ^r e
Henry Exon		unto John Lucumb of a plea that hee Render unto

him the full and Just Sume of Twelve pounds six
shillings ster^l moneys, w^{ch} to him hee oweth and unjustly detaineth

And whereupon the said John Lucumb by Robert Ridgely his
Attorney sayeth That Whereas the said Henry Exon the Twelfth
day of January 1679 by his Certaine bill or writeing obligatory
sealed with the seale of him the said Henry, and herein Court pro-
duced whose date is the day and yeare aforesaid Did binde himselfe
his heires Executo^{rs} and Adm^{rs} to pay unto the said John Lucumb
or to his heires Executo^{rs} Adm^{rs} or assignes on Demand the full
and Just sume of Twelve pounds six shillings Ster^l moneys due to
bee payd on all Demands, for a valluable Considera^on in hand
received by him the said Henry Exon, And the said John sayth
That hee the said Henry the thirteenth day of Aprill One Thou-
sand six hundred and eighty the sume of six pounds thirteene shil-
lings ster^l in part of the said Twelve pounds six shillings ster^l as
aforesaid to him the said John Lucumb did pay, but as to ffive
pounds thirteene shillings residue of the said Twelve pounds six
shillings, the said Sume of five pounds thirteene shillings residue as
aforesaid to him the said John Lucumb hath not paid according to
the Teno^r of the said bill or writeing obligatory, although often
thereunto required, but the same ffive pounds thirteene shillings to
pay hath denyed and still doth denye, Whereupon the said John
sayth hee is damnified and hath Losse to the vallue of Tenn pounds
ster^l. and thereupon hee bringeth his suite

Now here att this day (to witt) the seaventeenth day of ffebruary in the sixth yeare of the dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj i680 The said Henry Exon by Kenelm Cheseldyn his Attorney Cometh and defendeth the force and injury when &c and sayth nothing in barr of the said accon of the said John Lucumb Whereby the said John Remaineth against the said Henry thereof without Defence Therefore Itt is Considered that the said John Lucumb Doe Recover against the said Henry Exon his debt of ffive Pounds thirteene shillings sterf aforesaid, and also the sume of Six hundred pounds of Tobacco costs of Suite in this behalfe Expended To the said John of his assent by the Court here adjudged, and the said Henry in mercy **Provided** Execucon of the same Judgment cease untill the Tenth day of Aprill now next Comeing

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Ridgely p Quer

Kenelm Cheseldyn p Deft

Maryland ss

Whereas I Henry Exon of st Maryes County Innholder am indebted unto John Lucomb of London Mariner by bill und^r my hand and seale the sume of twelve pounds six shillings sterf, six pounds thirteen shillings thereof I have payd so there remaines due to the said Lucumb the sume of ffive pounds thirteene shillings, ffor w^{ch} sume I doe hereby authorize and Empower you or any of you to acknowledge Judgment to the said Lucumb the next Provinciaall Court, Execucon thereupon to Cease whilst the Tenth of Aprill next, and for your proceedings herein this shall bee yo^r warrant Witnesse my hand and seale the Eleaventh day of January 1680

Henry Exon (sealed)

To Kenelm Cheseldyne Esq Attorney Gen^{all}
or any other Attorney of y^e Provinciaall Court

Witnes William Taylor

Margaret Dent: Robert Ridgely

The above warrant of Attorney was proved before his Hono^r the Chancello^r

Garret Vanswearingen	}	Comand was given to the Sheriffe of Dor-
ag ^t		
Thomas Taylor	}	chest ^r County that whereas Garret Vanswearingen lately (to witt) upon the twelfth day of May in the yeare of our Lord i680

before the Justices of the Provinciaall Court held here, by Judgment of the said Court, hath Recovered against John Quigley late of the City of St Maryes in the Province of Maryland gentf. The sume of fforty three thousand one hundred pounds of Tobacco debt, and also the sume of Eleaven hundred and Eight pounds of Tobacco costs of suite in that behalfe Expended whereof hee is convict, as appears by the Records of the said Court, and then on the behalfe of the said Garret in the same Court was accepted That although the Judgment aforesaid bee Rendered, Yet the Execucon of the

Liber W. C. debt and Costs doth Remaine to bee made, and whereas one Thomas Taylor of Dorchester County and Walter Hall of st Maryes County formerly (that is to say) The Twelfth day of June in the year of our Lord 1678 in the same Provinciaall Court held att the City of St Maryes before the Justices there psonally came, and did become suretyes for him the said John Quigley, and the said Thomas & Walter did acknowledge in open Court that if the said John Quigley should bee cast in that suite. And did not satisfy the Condemnacon thereupon or Rend^r his body to prison, that they would Satisfy and pay the same, Yet the said John Quigley the said debt and costs aforesaid to the said Garrett hath not paid nor himself to Prison for that occasion hath not yet Rendred, as by the insinuacon of the same Garret in the same Provinciaall Court att the City of st Maryes aforesd hath been accepted Whereupon the said Garret supplicated his Lo^{pp} the Lord Prop^{ry} to provide for him a fitt Remedy in this behalfe, and his said Lo^{pp} being willing in this behalfe to doe that w^{ch} is Just Did Comand the said Sheriffe that by honest & lawfull men of his Baliwick hee should make Knowne to the
p. 354 said Thomas Taylor and to James Pattison and Margaret his wife Executrix of the last will and Testament of Walter Hall deceased that they bee and appeare before the Justices of the Provinciaall Court to bee held att the City of st Maryes the ffifteenth day of ffebruary next to shew Cause if they or any of them have or Know anything to say for themselves wherefore the said Gerrard ought not to have his Execucon against them the said Thomas Taylor & James Pattison and Margaret his wife Exix of the last will and Testament of the said Walter Hall as aforesaid of the debt and Costs aforesaid according to the force forme & effect of the Recovery aforesaid, as to them itt shall seeme Expedient, and further to doe and receive all and singuler those things w^{ch} the said Court of them shall consid^r in that behalfe, and have you then there the names of them by whome you make this Knowne and the same writt

Att w^{ch} said ffifteenth day of ffebruary Stephen Gary sheriffe of the County aforesaid made returne of the writt aforesaid That on the first day of ffebruary 1680 in the presence of John Brooke and William Dorrington Two Lawfull men of his Baliwick hee made Knowne to Thomas Taylor in the same writt named That hee should bee and appeare here on the said ffifteenth day of ffebruary to doe and Receive what the said writt required, as by the same writt hee was Comanded, and that the said James Pattison and Margaret his wife are not to bee found within his Baliwick

And now here att this day to witt the three and twentyeth day of ffebruary in the sixth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 The said Thomas Taylor by Robert Ridgely his Attorney cometh and defendeth the force and injury when &c. and sayth. That Execucon upon that Judgment in the scire facias mentioned against him, the said Garret

Vanswearingen ought not to have, because hee sayth, that before the suing out of the writt of scire facias aforesaid, to witt) the fourteenth day of May 1680, the said Garret by his Certaine writing of Release w^{ch} the said Thomas (sealed with the seale of him the sd Garret) herein Court pduceth, the date whereof is the same day and year, the said Garrat for him his heires Executo^{rs} and Adm^{rs} did thereby remise release and for ever quit Claime unto James Pattison his heires Executo^{rs} and Adm^{rs} from all manner of debts bills bonds ord^{rs} of Court Execu^{cons} whatsoever, so well for himself as for his p^rdecessor Walter Hall deceased from the beginning of the world to that p^rsent day, and by the same Release specially made knowne that also therein is Comprhended the ac^{con} of Security from Walter Hall in speciall bayle for Capt John Quigley for forty three thousand & odd pounds of Tobacco being bound for the moyety thereof, and the same Thomas sayth that the said Walter Hall in the same Release named was the Walter Hall in the said scire facias named to whome the said Margaret wife of the said James Pattison was Executrix, and the said Judgment in the said Release men^{con}ed for forty three thousand and odd Pounds of Tobacco from the said Capt John Quigley was the Judgment in the scire facias specified, for w^{ch} the said Thomas Taylor and Walter Hall were speciall bayle for the said John Quigley, and the said Thomas Taylor sayth that the said Release to the said James Pattison by the said Garret Vanswearingen above by the said Thomas Pleaded doth discharge and release the said Thomas Taylor from the Judgm^t aforesaid against the said John Quigley, and from being speciall bayle as aforesaid in the Cause aforesaid for the said John Quigley, and this hee is ready to verify & thereupon Demands Judgment of the Court If the aforesaid Garret Vanswearingen Execution against him of the Judgment in the said writt of scire facias men^{con}ed ought to have Which being Read and heard the said Garrat refuseth to make any further prosecu^{con} against the said Thomas Taylor upon the scire facias aforesaid Therefore Itt is Considered that the said Garrat Vanswearingen take nothing thereby but for his false Clamo^r thereupon bee in Mercy, and that the said Thomas Taylo^r may goe thereof without day: and also that the said Thomas Taylo^r Recover against the said Garret Vanswearingen the sume of One thousand and foure pounds of Tobacco for his Costs and charges by him about his defence in this behalfe Layd out and Expended and the said Thomas may have thereof Execu^{con}

Liber W. C.

p. 355

Garret Vanswearingen	} Comand was given to the Sheriffe of
ag ^t	
James Pattison & Margaret	
his wife Ex ^{ix} of Walter Hall	
	St Maryes County That Whereas Garret Vanswearingen lately to witt upon the Twelfth day of May in the yeare of our Lord 1680 before the Justices of the Provincially Court held here the

Liber W. C. same day by Judgment of the said Court hath Recovered against John Quigley late of the Citty of st Maryes in the province of Maryland gentl The sume of forty three thousand one hundred pounds of Tobacco debt, and also the sume of Eleaven hundred and eight pounds of Tobacco costs of Suite in that behalfe Expended whereof hee is Convict as appeareth by the Records of the said Court, and then on the behalfe of y^e said Garret in in the same Court was accepted That although the Judgment aforesaid bee Rendred Yet the Execucon of the debt and costs doth remaine to bee made, and Whereas one Thomas Taylor of Dorchester County and Walter Hall of S^t Maryes County, formerly that is to say the Twelfth day of June in the yeare of our Lord 1678 in the same Provincially Court att the Citty of st Maryes before the Justices there psonally came and did become Suretyes for him the said John Quigley, and the said Thomas and Walter did acknowledge in open Court That if the said John Quigley should bee cast in that suite, and did not satisfy the Condempnacion thereupon or Render his body to prison That they would satisfy and pay the same Yet the said John Quigley the said debt and costs aforesaid to the said Garret hath not payd Nor himself to prison for that occasion hath not yet Rendred as by the Insinuacon of the said Garret in the same Provincially Court att the Citty of st Maryes aforesaid hath been accepted, Whereupon the said Garret Supplicated his Lopp the Lord Proprietary to provide for him a fitt Remidy in this behalfe, and his said Lopp being willing in this behalfe to doe that w^{ch} is Just Did Comand the said sheriffe that by Honest and Lawfull men of his baliwick hee should make Knowne to the said Thomas Taylor and to James Pattison and Margrett his wife Execut^r of the last will and Testament of the said Walter Hall deceased That they bee & appeare before the Justices of the Provincially Court to bee held att the Citty of st Maryes the ffifteenth day of ffebruary then next to shew Cawse if they or any of them have or Know any thing to say for themselves Wherefore the said Garret ought not to have his Execucon against them the said Thomas Taylor and James Pattison and Margaret his wife Ex^{ix} of the last Will and Testament of the said Walter Hall as aforesaid off the debt and costs aforesaid according to the force forme & effect of the Recovery aforesaid, as to them it shall seeme Expedient, and further to doe and Receive all and singuler those things w^{ch} the said Court of them shall consider in that behalfe, and that hee should have then and there the same writt, and the names of those by whome hee should make the same knowne as aforesaid

p. 356

Att w^{ch} said ffifteenth day of ffebruary Major William Boareman Sheriffe of the County aforesaid made Returne of the writt aforesaid That by vertue thereof hee in the presence of Two honest and Lawfull men of his Baliwick hath made Knowne unto James Patti-

son and Margrett Hall Executrix of the Last will and Testament of the said Walter Hall dec^d That they should bee and appeare here on the said fifteenth day of february as by the said writt hee was Comanded, But the said Thomas Taylor is not to bee found within his Baliwick

Now here att this day to witt the Three and Twentyeth day of february in the sixth yeare of the dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 the aforesaid James Pattison and Margaret his wife by Robert Ridgely his Attorney Cometh and defendeth the force and injury when &c Whereupon the said Garret Vanswearingen refuseth to make any further prosecu^{tion} against the said James and Margaret upon the scire facias aforesaid, Therefore Itt is Considered that the said Garret take nothing thereby but for his false Clamo^r therein bee in Mercy, and that the said James & Margrett may goe thereof without day, and also that the said James Pattison and Margrett his wife Recover against the said Garrat Vanswearingen the sume of pounds of Tobacco for their Costs and charges by them about their Defence in this behalfe Layd out and expended, and the said Thomas & Margarett may have thereof Execu^{tion}

Thomas Hagelton	}	These Two acc ^{ions} are continued untill next Court
ag ^t		
Thomas Truman		
John Sanders		
ag ^t	}	
Thomas Helgar		

Gerrard Slye	}		}	p. 357
ag ^t				
Thomas Helgar	}			
William Phelps				
ag ^t	}			
Edw ^d pindar Adm ^r of				
William ffoorde	}			
Lord Proprietary				
ag ^t	}			
Josias Seward				
John Harris	}			
ag ^t				
Peter Ellis	}			
The same				
ag ^t	}			
John Hyland				
William Burges	}			
ag ^t				
Richard Hill	}			

Liber W.C.	Marke Cordea & John Addison	} These fourteene ac̄ons are continued un- till next Provinciaall Court
	ag ^t	
	Cristopher Rousby	
	Lord Proprietary	
	ag ^t	
	Thomas Clipsham	
	Gerrard Slye	
	ag ^t	
	Margret stagg Adm ^{ix}	
	Thomas stagg	
	Lord Proprietary	
	ag ^t	
	Matthew Scarbrough	
	& Thomas Pointer	
	Edward Lunn qui tam	} These six ac̄ons are Continued un- till Next Provinciaall Court
	bene &c	
	ag ^t	
	Anthony Demondadeir	
	John Baker	
	ag ^t	
	Vincent Lowe Esq ^p	
	The Same	
	ag ^t	
	The Same	
	William Jones	
	ag ^t	
	Vincent Lowe Esq ^p	

p. 358	John Beamon	} These six ac̄ons are Continued un- till Next Provinciaall Court
	ag ^t	
	Jn ^o Bird & Elizabeth his	
	wife Ex ^x Henry Lewis	
	Richard Perry	
	ag ^t	
	Thomas Gannt	
	The same	
	ag ^t	
	The same	
	The same	
	ag ^t	
	The same	
	Gerrard Slye Adm ^r Richard	
	Chilman	
	ag ^t	
	William Boareman	

Thomas Bland }
 ag^t }
 Richard Hill }

John Penroy }
 ag^t } This ac̄on abates the plantiffe being dead
 Robert Mason }

Lord Proprietary }
 ag^t } This ac̄on abates the deft being dead
 Thomas Walker }

John Ashcombe }
 ag^t } This ac̄on abates the deft being Dead
 Thomas Norman }

Peter Ellis & Eliz^a his wife }
 Adm^x William Palmer } This ac̄on being upon a writt of Erro^r
 ag^t } from Baltemore County Court is Con-
 Thomas Preston } tinued untill next Provinciaall Court

Benjamin Randall }
 ag^t } This ac̄on being upon an appeale from Talbott
 Hugh Sherwood } County Court, is agreed

Thomas Taylor }
 ag^t } This ac̄on of appeale from Dorchester County
 Anthony Dawson } Court is agreed

George Holland }
 ag^t } This ac̄on of Ejectment is Continued untill next
 Nicholas Nicholls } Court

Marke Cordea }
 ag^t }
 W^m Willowby }
 Christopher Rousby }
 ag^t }
 John Phillips }
 Michael Miller }
 ag^t }
 Paul Winborough }
 John Graham }
 ag^t }
 Ambrose London }

Liber W. C.	Thomas ffoulkes & ux Adm ^{ix}	}	} These Fifteen accōns are agreed
	Thomas ffisher		
	ag ^t		
	Rob ^t Washfeild Henry Johnson		
	& Elino ^r Johnson		
	The same	}	
	ag ^t		
	The same	}	
	Thomas Tasker		
	ag ^t	}	
	Anthony Dawson		
	John Rousby who aswell &c	}	
	ag ^t		
	William Price	}	
	John Rousby		
	ag ^t	}	
	William Price		
	William Wells	}	
	ag ^t		
	William Thomas	}	
	Eman ^{li} Ratliffe		
	ag ^t	}	
	Simon Spratling		
	John Hance	}	
	ag ^t		
	John Broome	}	
	Robert Ridgely		
	ag ^t	}	
	William Dorrington		
	The Same	}	
	ag ^t		
	Benjamin Hunt	}	
	The Same		
	ag ^t	}	
	William Wells		

p. 360	Henry Staples	}	} These Three Causes are agreed
	ag ^t		
	Issabella Broadrib Ex ^{ix}	}	
	John Broadrib		
	Robert Ridgely	}	
	ag ^t		
	William Guither	}	
	Nicholas Painter &		
	Judeth his wife	}	
	ag ^t		
	Henry Mitchell	}	

Andrew Tennihill	}	This accon of Ejectmt ^t is continued untill next Provinciall Court	Liber W.C.
ag ^t John Bennett			

Francis Maude	}	This Cause is Continued untill next Court
ag ^t Ambrose Bailey		

John Smith	}	This Cause is Continued untill next Court
ag ^t Thomas Kinnaston		

James Mills	}	The Jury finding for the p th in this Cawse six Thousand pounds of Tobacco Damages w th Costs of Suite. The deft by Robert Ridgely his Attorney Moved the Court in arrest of Judgment And day is thereupon given to both partyes untill next Provinciall Court
ag ^t Henry Johnson		

Thomas Tasker	}	Ejectmt ^t : Upon mocon made unto this Court by Kenelm Cheseldyn Attorney for the deft who hath filed his bill of Complaint ag ^t the plt for an Injuncon in this Cause, Itt is Ordered that this Cause bee stayed by injuncon untill the plt put in his answer to the Defts bill
ag ^t John Broome		

Susanna Uty	}	These Two Causes being upon an appeale from Baltemore County Court, are Con- tinued untill next Provinciall Court
ag ^t		
Jn ^o Nickolls & Mary		
his wife		
The Same		
ag ^t	}	
The same		

Henry Mitchell	}	This accon being upon an appeale from Dorchest ^r County Court is Continued untill next Provinciall Court
ag ^t Walter Davis		

John Abbingdon	}	This accon being upon an Appeale from Cal- vert County Court is Continued untill next Pro- vinciall Court	p. 361
ag ^t William Kidd			

Nehemiah Blackiston	}	This accon is Continued untill next Court
ag ^t William Harper		

Liber W. C.	Morgan Jones	} Unless the deft appeare next Court The Sheriffe of Ann Arundell County amerced
	ag ^t	
	Richard Wells	

Robert Ridgely	} Unlesse the deft appeare next Court the sheriffe of Dorchest ^r County Amerced:
ag ^t	
Eliz ^a Gilbert Adm ^{rx} of	
Thomas Gilbert	

John Slye	} The Defts by Robert Ridgely their Attorney appeare & imparle untill next Provinciaall Court
ag ^t	
Gerrard Slye	
Joseph Pile	
ag ^t	
Thomas Toulson	
John Rousby	
ag ^t	
Joseph Sperton	
Thomas Bowman	
ag ^t	
Stephen Gary	

Marke Cordea	} The Defts by Kenelm Cheseldyn their Attorney appeare & Imparle untill next Provinciaall Court
ag ^t	
Richard Atwood	
John Griggs	
ag ^t	
Nicholas Hackett	

Richard ffenwick	} The defts by Thomas Burford their Attorney appeare & Imparle untill next Provinciaall Court
ag ^t	
Gerrard Slye	
Thomas Swaney	
ag ^t	
Hugh french	

Michael Miller	} The defts by Robert Carvile their Attorney ap- peare and imparle untill next Provinciaall Court
ag ^t	
Clement Hill	
Henry ffernley	
ag ^t	
John Manley	

p. 362	Edmond Dermott	} The deft by George Thompson his Attorney ap- peares & imparles untill next Court
	ag ^t	
	Philip Lynes	

Nicholas Painter }
 ag^t } The Deft by Charles Boteler his Attorney ap- Liber W. C.
 Richard Ladd } peares and imparles untill next Provinc^l Court

Christopher Rousby }
 ag^t } Unlesse the deft appeare next Court the sher-
 Bartholomew Ennalls } iffe of Dorchester County amerced.

Christopher Rousby } Comand was given to the Sheriffe of Calvert
 ag^t } County that hee should Attach any the goods
 Jarvis Ballard } or Chattles of Jarvis Ballard If they Should bee
 found in his baliwick To the Vallue of Three
 thousand Seaven hundred sixty five pounds of Tobacco, and when
 hee had the same soe attached or any part thereof the same in his
 Custody to Keepe untill the said Jarvis Ballard should by himself
 or his Attorney appeare here the Eleaventh day of May in the ffifth
 yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore
 &c Annoq Dominj 1680 To answee unto Christopher Rousby gentl
 one of the Attorneys of this Court according to the Libertyes and
 Priviledges allowed &c in a plea of Trespasse upon the case, On w^{ch}
 said Eleaventh day of May Cap^t Richard Ladd sheriffe of the
 County aforesaid made Returne of the writt aforesaid That by
 vertue thereof hee hath attached in the hands of Symon Wilmer
 The Sume of Three thousand seaven hundred sixty five pounds of
 Tobacco, **Whereupon** the said Christopher Rousby Prayed That
 the aforesaid sume of Three thousand Seaven hundred sixty five
 pounds of Tobacco might bee Condemned unto him upon giving
 Security according to the Act of Assembly in that case made and
 Provided, and Itt is granted by the Court here

Now here att this day to witt the Three and Twentyeth day of
 ffebruary in the sixth yeare of the Dominion of the Right hono^{ble}
 Charles Lord Baltemore &c Annoq Dominj 1680, Came the said
 Christopher Rousby wth Robert Ridgely his Security who under-
 tooke for the s^d Christopher in the sume of Three thousand Seaven
 hundred sixty five pounds of tobacco to indempnifie this Court
 against all ac^{co}ns Suites or other matters that shall or may happen
 touching or concerning the aforesaid attachm^t, and shall make resti-
 tu^{co}n of the said Sume of Three thousand Seaven hundred sixty
 five pounds of Tobacco or the vallue thereof in case the said Jarvis
 Ballard or his Attorney shall w^{thin} one yeare and a day make his
 Just and due defence and proceed on in the said ac^{co}n in Comon
 forme, & make it appeare that the said Christopher Rousby is Satis-
 fied his just demands, And thereupon the Court condemned the
 said Tobacco so attached as aforesaid. and Ordered that the said
 simon Wilmer pay unto the sd Christopher Rousby the Said sume
 of Three thousand Seaven hundred Sixty five Pounds of Tobacco
 so attached in his hands as aforesaid.

Liber W. C.
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Roger Eades
ag^t

James Peterkin

February the Two and Twentyeth : 1680

Came Rodger Eades by Robert Ridgely his Attorney, and James Peterkin by Christopher Rousby his attorney, and this Cause standing att issue ready for Tryall this Present Court, but because it appeareth to the Court here that the same is an ac^on of Ejectment. and that it is Comenced by the said Roger Eades as Lessee to Anthony Dawson & Rebecca his wife & Thomas Taylor and Sarah his wife against William Reid Casuall Ejecto^r, and the said James Peterkin haveing Named himself deft instead of the Casuall Ejecto^r to try the Title to one Mesuage of Six hundred and ffifty Acres of Land Called Alexanders Place scituate Lyeing and being in Transquakeing River on the East Side of Chesepeake bay & on the Westernmost side of the north-west branch of the said River, and being now in dispute betweene the said Roger Eades and James Peterkin, and the Court finding it very necessary that the due Lines & bounds of the said Land bee Laid out by some skilfull pson according to the originall Survey thereof, by the direc^on of the Neighbourhood that are most Knowing in the antient meets and bounds thereof, and that a faire plott & Certificate thereof bee Returned to the next Provinciaall Court Soe that upon pusall & Veiwing thereof and hearing what Can bee said on both sides this Court may doe therein as to Justice appertaines, Itt is therefore by the Court this day ordered that Thomas Pattison gent^l bee and is hereby especially appointed impowered and Comanded to Lay out the aforesaid parcell of Land according to the antient meetes and bounds thereof in the p^rsence of the Sheriff of Dorchester County aforesaid Who is hereby impowered and Comanded to sumon and Impannell a Jury of Twelve good Lawfull and honest men of the Neighbourhood to goe upon the said Land, and to Sumon and Examine Witnesses upon oath that the truth of the matter may be fully discovered, and the said Thomas Pattison is hereby Ordered to Runn the Lines according to the Evidence then to bee given and the direction of the Jury, and to returne a Certificate of his Proceedings herein, and a faire plott of Land in Question to the next Provinciaall Court to bee held att the City of st Maryes the six and Twentyeth day of Aprill next That so his Lopps Justices being fully informed of the truth of the premisses may doe therein as to Justice shall appertaine :

William Brice
ag^t

John Richardson

Comand was given to the Sheriff of Dorchester County that hee take Jn^o Richardson late of Dorchester County Planter, otherwise called John Richardson of the County of Dorchester in the

Province of Maryland Planter If hee should be found in his baliwick and him safe Keepe so that hee should have his body here the fifteenth day of February in the sixth yeare of the Dominion of

the Right hon^{ble} Charles Lord Baltimore &c^a Annoꝝ Dominj 1680
 To answere unto William Brice of a Plea that hee Render unto him
 the full and Just Sume of Nine thousand Pounds of good Sound
 Marchantable Tobacco and Casq^{ch} to him hee oweth & Unjustly
 detaineth, Att w^{ch} said ffebruary Stephen Gary Sheriffe of the
 County aforesaid made Returne of the writt aforesaid, in these
 words following viz (Non est inventus) Whereupon the said Wil-
 liam Brice by Robert Ridgely his Attorney Prayed an attachment
 against the goods Chattles and debts of the said John Richardson
 according to an Act of Assembly in that Case made and Provided,
 and Itt is granted by the Court here

Liber W. C.

p. 364

Robert Ridgely	} Comand was given to the sheriff of Tal-
ag ^t	
Richard Royston Adm ^r	} bott County that of the the goods and
of William Crosse	
	} Chattles of William Crosse gentl deceased
	} if they should bee found in his Baliwick
	hee should Cause to bee made aswell the

Sume of Twelve hundred pounds of Tobacco a Certaine debt Re-
 covered against Richard Royston Adm^r of all and Singuler the
 goods Chattles rights and Credits w^{ch} were of the said William
 Crosse deceased att a Provinciall Court held here the six and Twenty-
 eth day of Novemb^r Annoꝝ Dominj 1680 by Robert Ridgely gentl
 one of the Attorneys of the said Court whereof hee is Convict, as
 also the Sume of ffive hundred fifty six pounds of Tobacco for
 Costs of suite, and when hee had the same soe made as aforesaid
 or any Part thereof the same in his Custody to Keepe Soe that hee
 Should have the same here on the ffifteenth day of ffebruary in the
 sixth year of the Dominion of the Right hon^{ble} Charles Lord Bal-
 temore &c Annoꝝ Dom 1680 to Render to the said Robert Ridgely

On w^{ch} said ffifteenth day of ffebruary Thomas Vaughan Sheriffe
 of the County aforesaid made Returne of the writt aforesaid in
 these words following Viz

Executed p Tho: Vaughan Sher :

William Diggs Esq ^{ch}	} Comand was given to the Sheriffe of St Maryes
ag ^t	
John Manley	} County that hee take John Manley late of St
	} Maryes County in the Province of Maryland
	Clerke, otherwise called John Manley of West-

merland County in the Colony of Virginia gentl If hee should bee
 found in his baliwick and him safe Keepe Soe that hee should have
 his body here the ffifteenth day of ffebruary in the sixth year of the
 Dominion of the Right Hono^{ble} Charles Lord Baltimore &c Annoꝝ
 Dominj 1680 To answere unto William Digges Esq^{ch} one of the
 Justices of this Court according to the Liberty's and priviledges to
 such Justices and other Officers of the said Court allowed &c of a
 plea that hee Render unto him the sume of ffour thousand and

Liber W. C. forty two pounds of good sound bright and Large Tobacco in Caske to Containe the same, w^{ch} to him hee oweth and unjustly detaineth; Att w^{ch} said ffifteenth day of ffebruary William Boareman gentl Sheriffe of the County aforesaid made Returne of the writt aforesaid in these words following Viz Non est inventus Whereupon the said William Diggs by Robert Ridgely his Attorney prayed an attachm^t ag^t the goods Chattles & debts of y^e said John Manley according to an Act of Assembly in that case made & Provided, and Itt is granted by the Court here

p. 365 Eman^{ll} Ratliffe } Comand was given to the Sheriffe of st Maryes
ag^t } County that hee attach any the goods or Chattles
Thomas Penroy } of Thomas Penroy late of st Maryes County Mar-
rin^r If otherwise called Thomas Penroy Master of
the Ketch Prosperous of London (If they should bee found in his Baliwick) to the Vallue of Two thousand ffoure hundred and two Pounds of Tobacco, and when hee had the same so attached or any part thereof the same in his Custody to Keepe untill the said Thomas Penroy should by himself or his Attorney appeare here the ffifteenth day of ffebruary in the sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 to answeare unto Emanuel Ratliffe in a plea that hee Render unto him the full & Just Quantity of Two thousand ffoure hundred and two pounds of good sound Marchantable Tobacco and Casq w^{ch} to him hee oweth and unjustly detaineth

On w^{ch} said ffifteenth day of ffebruary Major William Boareman sheriffe of the County aforesaid made returne of the writt aforesaid, That by vertue thereof, Hee hath Attached one Grey Gelding of the proper goods of the said Thomas Penroy, w^{ch} was appraised to Eight hundred Pounds of Tobacco for the use of the said Emanuel Ratliffe

Richard Metcalfe } Emanuel Jenkinson late of Talbott County
ag^t } Marchant was Sumoned to Answere unto Rich-
Emanuel Jenkinson } ard Metcalfe of the Citty of Yorke in the King-
dome of England Marchant of a plea that hee
Render unto him the said Richard his Reasonable accompt Of the time wherein hee was Receiver of the Tobacco of him the said Richard, and whereof an Accompt to him the said Richard hee ought to Render

And Whereupon the said Richard by Christopher Rousby his Attorney Sayth That Whereas the said Emanuel Jenkinson was Receiver of the Tobacco of him the said Richard from the Twenty fourth day of May in the yeare of our Lord One thousand six hundred Seaventy nine untill the five and Twentyeth day of March One thousand Six hundred and eighty, and by the same time Received by the hands of Thomas Masterman Divers and Sundry bills and Specialtyes under the hands and seales of seaverall psons for Seaverall

Liber W. C.

Sumes of Tobacco due from the said Seaverall psons Respectively unto him the said Richard Metcalfe, a pticuler accompt of w^{ch} said bills and Specialtyes is hereunto annexed Amounting to Sixty three thousand five hundred Ninety six pounds of Tobacco, To the end that hee the said Emanuel the said Seaverall Sumes of Tobacco Amounting to sixty three thousand five hundred Ninety Six pounds of Tobacco as aforesaid Should Receive for the use of the said Richard, And the said Richard further Sayth That the said Emanuel within the time aforesaid the said Seaverall Sumes of Tobacco amounting to sixty three thousand five hundred ninety six Pounds of tobacco from the Seaverall and Respective persons indebted by the said bills specified in the said particuler Accompt hereunto annexed Did Receive to Render his Reasonable Accompt thereof unto him the said Richard Metcalfe when thereunto Required, Nevertheless the said Emanuel Although often Required his Reasonable Accompt aforesaid to the said Richard hath not Rendred, but the same hitherto hath denyed, and Still doth denye to Render Whereupon the said Richard sayth hee is the worse and hath losse to the Vallue of ffoure score thousand Pounds of Tobacco, and thereupon hee brings his suite

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And the said Emanuel Jenkinson by Robert Carvile his Attorney cometh and defendeth the force and injury when &c and prayeth Liberty to imparle hereunto untill next Provinciaall Court and Itt is granted unto him, the Same day is given to the plantiffe Likewise

Now here att this day (to witt) the Two and Twentyeth day of ffebruary in the sixth yeare of the Dominion of the Right Honorable Charles Lord Baltemore &c Annoq Dominj 1680 Came the said Richard Metcalfe by his Attorney aforesaid, and Offered himself against the said Emanuel Jenkinson in the plea aforesaid, but the said Emanuel came not but made Default Whereby the said Richard Remaineth against the said Emanuel thereof wholly undefended Therefore Itt is Considered that the aforesaid Emanuel Jenkinson account with the Said Richard Metcalfe of the Tobacco aforesaid of the Same Plt by the time aforesaid received in the forme in w^{ch} the plt above Declared against him And Thereupon Collon^{ll} Philemon Lloyd and Richard Peacock of Talbott County gentl in the presence of the Same Deft are assigned Audito^{rs} by the Court here to heare the said Account Soe as they make their Report thereof to the Justices of the Same Court to bee held att the City of S^t Maryes the six and Twentyeth day of Aprill next being the first day of the next Provinciaall Court.

Abraham Blagg who
aswell &c.
ag^t
Gerrard Slye

} Comand was given to the Sheriffe of S^t Maryes
County that Whereas Abraham Blagg Who
aswell for the Lord Prop^{ty} as for himself in
that behalfe prosecuted had Exhibited his in-
formation in the Provinciaall Court before the

Liber W. C. Justices there; the ffourteenth day of May 1680: Against Gerrard Slye gentl for breach of a Certaine Act of Assembly Entituled an Act for Limitaçon of Officers ffees. And had thereupon in the said Court the said ffourteenth day of May 1680 Recovered against the said Gerrard Slye the Summe of six thousand Pounds of Tobacco or forty pounds Sterl being the forfeiture upon the breach of the said Act Whereof the said Lord Prop^{ty} were to have Three thousand Pounds of Tobacco or Twenty Pounds Sterl for his moyety, and the said Abraham Who aswell for the said Lord Prop^{ty} as for himself prosecuted the other three thousand pounds of Tobacco or Twenty pounds sterl for his Moyety. & Whereas also the said Abraham who aswell for the said Lord Prop^{ty} as for himself psecuted had Recovered against the said Gerrard his treble damages Sustained by Occasion of the p^rmisses amounting to the Summe of Seaven thousand Eight hundred and sixty pounds of Tobacco according to the forme of the Act Aforesaid, as also the Summe of One thousand forty Two Pounds of Tobacco for Costs of Suite Itt was therefore Comanded the said Sheriffe that of the goods and Chattles of the said Gerrard Slye If they Should bee found in his baliwick hee should Cause to bee made aswell the said summe of Six thousand Pounds of Tobacco or forty pounds Sterl w^{ch} the said Abraham Blagg who aswell for the said Lord Prop^{ty} as for himself prosecuted as aforesaid in the said Court before the said Justices Recovered against the said Gerrard as aforesaid The one Moyety to the said Lord Prop^{ty} and the other Moyety to the said Abraham Who aswell for the said Lord Prop^{ty} as for himself psecuted as aforesaid, as also the said Summe of Seaven thousand Eight hundred sixty pounds of Tobacco W^{ch} the said Abraham Who aswell for the said Lord Prop^{ty} as for himself prosecuted in the Court aforesaid before the Justices aforesaid had Likewise Recovered against the said Gerrard for his Treble damages aforesaid as also the Summe of One Thousand forty two Pounds of Tobacco w^{ch} to him the said Abraham who aswell for the said Lord Prop^{ty} as for himself prosecuted in the said Court were adjudged for his Costs of suite w^{ch} hee by occasion of the premisses had sustained Whereof hee is Convict, and when hee had the same Soe made as aforesaid or any part thereof the same in his Custody Keepe Soe that hee have the same here the ffifteenth day of ffebruary in the sixth yeare of the dominion of The Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 to Rend^r to the said Lord Prop^{ty} and the said Abraham Blagg who aswell for the said Lord Prop^{ty} as for himself prosecuted as aforesaid, On w^{ch} said ffifteenth day of ffebruary aforesaid William Boareman Sheriffe of the County aforesaid made Returne of the writt aforesaid That by Vertue thereof hee hath taken Two Neagroes named Prince, & Hamm Whome hee hath Ready as the said writt Requires

Justinian Gerrard ag ^t Henry Bonner	}	The Plantiffe haveing in this Cause filed his bill against the Deft being one of the Attorneys of this Court, and the said Deft refusing to answer thereunto, Itt is Ordered that in the same Cause the same deft bee debarred of his priviledge as Attorney of this Court, and that the said Plantiffe may have his Loppes the Lord Proprietarys writt of Capias against the said Deft in the same Cause, and the said Deft may bee taken thereby	Liber W. C.

Jn ^o Watkinson ag ^t Thomas Collins.	}	An Ejectm ^t Peter Sawyer & ffrancis his wife one of the daughters and Co-heirs of Henry Morgan Lessee's	p. 368

And in the same Cause Itt was Ordered by the Consent of Robert Carvile Attorney for the Plantiffe and Robert Ridgely Attorney for the deft that the said Thomas Collins should be admitted deft, and that hee forthwith appeare and Receive a Declaracon and plead to it the generall issue, and att the Tryall to bee thereupon had the said Thomas Collins shall appeare in his proper pson or by his Attorney and shall Confesse Lease Entry and Ejectment, or that in default thereof Judgment Shall bee entred against the said Deft Christopher Goodhand the Casuall Ejecto^r but all further prosecucon against him shall Cease untill the said William Collins shall make default

And Itt is further ordered by the Court by the Consent aforesaid that the said Thomas Collins shall not take any advantage against the plantiffe for not prosecuteing upon the tryall occasioned by such default, but that the said Thomas Collins Shall pay to the Plantiffe the Costs by this Court to bee taxed in this Cause, and Itt is ffurther ordered that the Lesso^r to the plantiffe shall bee Charged with the Payment of the Costs to the Deft If any bee adjudged to him

Thomas Parker ag ^t James Clayland	}	Thomas Vaughan Sheriffe of Talbott County not haveing the body of the deft here this Court ac- cording to an order made the Last Provinciaall Court The Said Sheriffe is amerced unto his Lopp the Lord Prop ^{ty} Eight pounds Sterling

Edward Watkins ag ^t W ^m Hill & John Phillips	}	The sheriffe of Dorchest ^r County haveing Re- turned in this Cause that hee hath attached the deft William Hill, Itt is Ordered that unlesse the said deft Hill appeare next Court the said sheriffe shall bee Amerced:

Charles Lord Baltemore & Benjamin Rozer Esq ^s Ex ^{rs} of Thomas Notley Esq ^s Deceased ag ^t Thomas Jones	}	Majo ^r William Boareman sheriffe of st Maryes County not haveing the body of the deft here the last No- vember Court according to the Re- turne of his writt was amerced unto his Lopp forty shift Sterl. and the

Liber W. C. deft appearing this Court by Robert Carvile his Attorney the said Amercem^t is Remitted, and this Cawse Continued untill next Court

p. 369 W^m Sparkes } Philip Lynes late of Charles County gentl was at-
ag^t } tached to answere unto W^m Sparkes of a plea
Philip Lynes: } Wherefore by force of Armes one Messuage of One
hundred and fifty Acres of Land in the County
aforesaid Called Hardyes Purchase, and lately in the Tenure and
Occupacon of Thomas Peircey deceased, and w^{ch} Henry Hardy of
Charles County aforesaid gentl to him the said W^m Sparkes demised
for a Terme not yet past, did enter. and him from his farme afore-
said did Eject, and other Enormityes to him did doe, to the greate
damage of him the said William Sparkes, & Contrary to the Peace
of the Lord Prop^{ty}.

And Whereupon the said William Sparkes by Robert Ridgely
his Attorney Complaineth that Whereas the said Henry Hardy the
first day of August in the yeare of our Lord One thousand six
hundred Seaventy eight, at Charles County aforesaid had demised
to the said William Sparkes the said Messuage Called Hardys pur-
chase with the appurtenances, scituate lyeing and being in Charles
County aforesaid, and Lyeing on the North side of Patomack River
bounding on the east side at a beech standing at the side of a branch
that falleth into the Beaverdam that boundeth the Land of Richard
Wattson, and Runing south for the length of Tenn perches to a
bounded oake standing in the line formerly laid out for Thomas
Batchelo^r lately in the Posession of M^r John Lee Bounding on the
south with the said Land for the length of Three hundred & Twenty
perches to a bounded oake standing upon a Pointe by a Marsh at a
Creeke Called Batchello^{rs} Creeke, On the west with the said Creeke
by a Line drawne North from the said oake for the Length of One
hundred and ffifteene pches to a bounded oake standing by the
Creeke side, On the North with the said Creeke and Beaver Damm
to the first bounded Beech Containing by Estimacon One hundred
and fifty acres and lately in the Tenure & occupation of the said
Thomas Peircey deceased, To have and to hold unto the said Wil-
liam Sparkes and his Assignes from the said first day of August
in the yeare aforesaid to the full End and Terme of Three yeares
from thence next Ensueing and fully to bee Compleate and Ended.
By vertue of w^{ch} demise the said William Sparkes into the Tenem^{ts}
aforesaid wth the appurtenances entred, and was thereof possessed, &
so thereof being possessed the said Philip Lynes Afterwards (to witt)
the Twentieth day of August in the yeare aforesaid into the Tene-
ments aforesaid with the appurtenances, (w^{ch} the said Henry Hardy
to the said William Sparkes in forme aforesaid did Demise for the
Terme aforesaid w^{ch} is not yet paste) did Enter, and him from his
farme aforesaid did Eject, and other Enormities to him did doe to

the great damage of him the said William Sparkes and against the peace &c and whereupon hee sayth hee is the worse and hath Damage to the Vallue of fifty Pounds sterl, and thereupon hee brings his suite Liber W. C.

Unlesse the Tennant in posession or they und^r whome he Claimes doe the next Provinciaall Court that is to say the the third day of June next appeare to this Declaracon and make him or themselves defts thereunto, and by Rule of Court Confesse the Lease Entry and Ejectment and insist onely upon the Title The deft in this Declaracon will Confesse Judgment, & posession will be delivered accordingly to the Plantiffe

To Philip Lynes Tennant in posession of the p^rmisses wthin Mentioned

And the said Philip Lynes by Christopher Rousby his Attorney p. 370
Cometh and defendeth the force and injury when &c and Prayeth Liberty to Imparle hereunto untill next Provinciaall Court And it is granted unto him the same day is given to the Plantiffe Likewise

Att w^{ch} said next Provinciaall Court came the said partyes by their Attorneys aforesaid, and in the same Cause Itt is Ordered by the Consent of Robert Ridgely Attorney for the plt. and Christopher Rousby Attorney for Philip Lynes, That the said Philip Lynes should be admitted Deft, & that hee forthwith appeare and Receive a Declaracon, and plead to it the Generall issue, And at the tryall to be thereupon had The said Philip Lynes shall appeare in his prop^rson or by his Attorney and shall Confesse Lease Entry and ejectm^t, or that in default thereof Judgm^t shall be Entred against the said Defend^t W^m Harbert the Casuall Ejecto^r, But all further prosecucon against him Shall cease untill the said Philip Lynes shall make default in any of the p^rmisses, And It is further Ordered by the Consent aforesaid that the said Philip Lynes shall not take any advantage against the Plantiffe for not prosecuteing upon the Tryall Occasioned by such default, but that the said Philip Lynes shall pay to the Plantiffe the Costs by this Court to be Taxed in this Cause, and Itt is further ordered that the lesso^r to the Plantiffe shall bee Charged wth the payment of the Costs to the deft If any be Adjudged to him, And Day is thereupon given unto the said partyes untill the Next Provinciaall Court

Afterwards To witt the fourteenth day of ffebruary in the ffifth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq³ Dominj 1679 Came the said partyes by their Attorneys aforesaid, and this Cawse standing at issue ready for Tryall this present Court, but because Itt appeareth to the Court here that the same is an accon of Ejectment and that it is Comenced by the said William as Lessee to Henry Hardy against William Harbert Casuall Ejecto^r, and the said Philip Lines who is the party Concerned haveing named himself deft instead of the Casuall Ejecto^r

Liber W. C. To Trye the Title to One hundred and fifty acres of Land called Hardyes Purchase Lyeing in Charles County and lately in the Tenure and Occupa^on of Thomas Peircey deceased, and being now in Dispute betweene the said Henry Hardy and Philip Lynes, The Court p^oceiueing the Said One hundred and fifty Acres of Land now in Question is part of a Tract of Land formerly surveyed for ffrancis Posey and John Berlaines Plant^{rs} Containing ffoure hundred and fifty acres, and lately in the Tenure or Occupa^on of Richard Watson decd und^r whome the p^ls Lesso^r Claimeth, & for that the deft Lynes Claimes part of the said One hundred and ffifty Acres as parcell of a parcell of Land formerly surveyed for Thomas Batchello^r Containing ffoure hundred and fifty acres called Stumpdale The Court doe finde it absolutely Necessary that the said Two parcells of Land called Watsons Land and stumpe Dale bee surveyed and Laid

p. 371 out by Some skilfull pson according to the Originall survey thereof, by the Discretion of the Neighbourhood that are most Knowing in the antient Meets & bounds of the Same two parcells of Land, Thereby the better to finde out the true bounds of the Land in Question, And that faire Plotts & Certificates of both the same parcells of Land bee returned to the next Provinciaall Court soe that upon pusall and Veiwing thereof, and hearing what Can be said on both sides The Court may Doe therein what to Justice appertaines, And Itt is by the Court this day Ordered That Randolph Brandt gentl bee and is hereby Especially appointed impowered and Comanded to Lay out the aforesaid Two parcells of Land according to the antient meets and bounds thereof, In the presence of the sheriffe of Charles County aforesaid, Who is hereby Comanded and impowered to sumon & impannell a Jury of Twelve good Lawfull and honest men of the Neighbourhood to goe upon the said Land, and to sumon and Examine Witnesses upon Oath That the truth of the matter may be fully Discovered, And the said Randolph Brandt is hereby Ordered to Runn the Lynes according to the Evidence then to be given, and the Direction of the Jury, and to Returne a Certificate of his proceedings herein, and a faire Plott of the Lands in Question to the next Provinciaall Court to bee held att the City of st Maryes the Eleaventh day of May next, Attested aswell und^r the hand and Seale of the said Randolph Brandt as of the Sheriffe and Juro^{rs} aforesaid, that soe his Lopps Justices being fully informed of the Truth of the premisses may Doe therein as to Justice Shall appertaine

On w^{ch} said Eleaventh day of May aforesaid Came the said Rand^o Brandt and made returne of the aforesaid Order. By an Inquisition w^{ch} followeth in these words Viz

An Inquisi^on Indented taken this Ninth day of Aprill att the house of Philip Lynes in Charles County, in the ffifth yeare of the Dominion of the Right hono^{ble} Charles Absolute Lord and Prop^{ry} of the Provinces of Maryland and Avalon Lord Baron of Balte-

more &c, and in the yeare of our Lord 1680, before mee William Chandler Sheriffe of Charles County aforesaid, By vertue of an order of a Provinciaall Court held att the Citty of St Maryes the ffourteenth day of febr^{ry} Annoq Dominj 1679, Itt was then Ordered by the said Court that Randolph Brandt gentl Deputy Surveyor for this County in the presence of the sheriffe of the County aforesaid, to Lay out Two parcells of Land, The one formerly Surveyed for ffrancis Posey and John Berlaines planters Containing ffoure hundred and fifty acres and lately in the Tenure and occupaçon of Richard Watson deceased and another parcell of Land called Stump Dale formerly surveyed for Thomas Batchelor Containing ffoure hundred and fifty acres, By a Jury of the Neighbourhood to goe upon the said Land, and to see the Lines of the said Two Tracts of Land runn out by the said Randolph Brandt according to the Evidence then to be given and the direcçon of the Jury, By vertue of w^{ch} said Order of Court W^m Chandler Sheriffe did by the Oathes of, Robert Robins, Samuel Raspin, Jn^o Courte sen^r Jn^o Courte Jun^r, Mevorell Hulse, Hugh Thomas, ffrancis Wyne, Joseph Bullo^t John Harvey, John Beane, Robert Worrell, & William Hinsey, Together wth the aforesaid Randolph Brandt Deputy Surveyor goe upon the aforesaid Two Tracts of Land To see the same by the Surveyor Laid out according to the Antient Meets and bounds of the aforesaid Two Tracts of Land, Which Juro^{rs} Upon their Oathes says That they Cannot by any informaçon or Evidence finde out the antient Meets & bounds of that Tract of Land formerly laid out for ffrancis Posey and John Berlaines lately in the Tenure and occupaçon of Richard Watson decd, And Whereas wee could not find the south-
ermost bound tree of Watsons Land being Nominated in the Cer-
tificate a bounded white oake, Nor have any possitive Evidence to
prove the same, soe that wee could not runn out the antient bounds
and meets of the other Tract of Land formerly Surveyed for Thomas
Batchelor called Stumpe Dale **In Witnesse** whereof the Sheriffe
abovesaid and the Juro^{rs} above written have hereunto sett their
hands and Seales The day and yeare above written

p. 372

W^m Chandler Sher (Sealed)

Rob ^t Robins	(sealed)	ffrancis Wyne	(sealed)
Sam ^l Raspin	(sealed)	Joseph Bullett	(sealed)
John Courte	(sealed)	John Harvey	(sealed)
John Courte Jun ^r	(sealed)	John Bayne	(sealed)
Mevorell Hulse	sealed	Rob ^t Worrell	(sealed)
Hugh Thomas	(sealed)	W ^m Hinsey	(sealed)

And the said William Sparkes and Philip Lynes by their Attorneys aforesaid Prayed that a New Survey bee Awarded for the better Re-survey of the aforesaid Two parcells of Land called Watsons land and stumpe Dale the aforesaid Survey being imperfect **Whereupon**

Liber W. C. this Court doe order that the afores^d Randolph Brandt bee and is hereby especially appointed Impowered and Comanded to lay out the aforesaid Two parcells of Land called Watsons Land & Stumpe Dale according to the Antient bounds thereof, and after the same is so resurveyed and Laid out, Then to lay out the One hundred and fifty acres of Land in Question, And that the Lands aforesaid by the said surveyo^r bee Laid out in the p^rsence of the sheriffe of the said County Who is hereby impowered & Comanded to sumon and impannell a Jury of the Neighbourhood upon the said Land who are to be duely sworne by the said Sheriffe to Direct the said Surveyo^r according to the best of their Knowledges of the true antient bounds of the aforesaid two parcells of Land called Watsons Land & Stumpe Dale, & of the Land in Question, and to Examine Evidences upon Oath that the truth of the matter may bee fully discovered, And the said Surveyo^r is hereby Ordered to beginn to runn out the line or Lines of all and every the said Tracts of Land at such bound tree or Trees, and to runn the same Either backward or forwards to finde out the Antient bounds thereof as the said Jury shall think fitt and direct, and to returne seaverally a Certificate and Plott of each parcell of Land, and of his proceedings herein under his hand and Seale and the hands and seales of the Sheriffe and Juro^{rs} aforesaid to his Lo^{pps} Justices here att the next Provinciaall Court That soe his Lo^{pps} Justices being fully informed of the Truth of the premisses may Doe therein as to Justice appertaineth.

Att w^{ch} said Next Provinciaall Court Came the Said partyes by their Attorneys aforesaid, and the said Surveyo^r made Returne of the Order aforesaid, by an Inquisi^{con} w^{ch} ffollowes in these words Viz

p. 373 **An Inquisition** Indented taken the first day of June att the house of Philip Lynes in Charles County in the fifth yeare of the Dominion of the Right hono^{ble} Charles Absolute Lord and Prop^{ty} of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c and in the yeare of our Lord One Thousand six hundred & Eighty. Before M^r William Chandler Sheriffe of Charles County aforesaid By vertue of an Order of a Provinciaall Court held at the City of st Maryes on the Eleaventh day of May last past. Whereas It was then Ordered by the said Court that Randolph Brandt Deputy surveyo^r of this County in the Presence of the sheriffe aforesaid To Lay Out a parcell of Land formerly Surveyed for ffrancis Posey and John Berlaines Plant^{rs} and lately in the Tenure and occupa^{con} of Richard Watson late of this County deceased, And also a parcell of Land formerly surveyed for Thomas Batchelo^r Called stumpe Dale according to the antient bounds thereof, And after the said Two Tracts of Land are so resurveyed and laid out Then to lay out One hundred and fifty acres of land formerly belonging to Thomas Peircey late of this County deceased, and now in the posession of

Henry Hardy and Now in Question, By a Jury of the Neighbourhood to goe upon the said Land, and to see the Lines of the said two Tracts of Land according to the Antient bounds runn out, and then the Lines of the aforesaid One hundred & fifty Acres of Land now in the Posession of Henry Hardy aforesaid and the Land now in Question, by the said Rand^o Brandt according to the Evidence then to be given, and the direc^on of the Jury, By vertue of w^{ch} ord^r of Court I William Chandler sheriffe Did by the Oathes of Cap^t James Neale, John ffaning, James Beamount, Thomas Clipsham, Thomas Gibson, Ralph Smith, Arthur Turner, William Hatch, Mevorell Hulse, Edmond Dennis, ffrancis Wyne, & Cleoborne Lomax, Goe upon the aforesaid Two Tracts of Land, and the One hundred and fifty acres now in Question To see the same by the Surveyo^r Laid out according to the antient bounds thereof, w^{ch} Juro^{ts} upon their oathes sayes That According to the best of their Knowledges that they have Run out the bounds of that parcell of Land formerly Surveyed for ffrancis Posey and John Berlaines plant^{ts} and lately in the Tenure and occupa^on of Richard Watson, wth the surveyo^r in the presence of the sheriffe aforesaid, Begining att a markt white oake standing upon a point neare the Mouth of Batchello^{ts} Creeke on the north side of the said Creeke, but Whether it be really the southermost bound tree of the Land belonging formerly to Richard Watson or not wee doe not certainly Know because wee have noe prooffe to the same, but runing north from thence according to the Certificate at the end of one hundred and sixty five perches wee Could not finde any bound tree, but runing on North-westerly fifty foure perches and a halfe further in the Course of the said Line, Wee came to a bounded white oake standing upon the Clifts by a Path side according to the words of the Certificate, w^{ch} said tree wee doe verily beleeeve to be the Northermost bound tree of Watsons Land, Then Runing east into the woods for the full length of ffive hundred perches, Thence south Two hundred & nineteene perches & a halfe, Thence west to the first markt tree, and bounding on the south with the paralell Line and Creeke, and on the west with the said River according to the Certificate, And further the Juro^{ts} aforesaid sayes that they have also wth the surveyo^r aforesaid in the presence of the Sheriffe Runn out the bounds of that parcell of Land formerly Surveyed for Thomas Batchelo^r Called Stumpe Dale according to the best informa^on wee can get, **Begining** att a bounded white Chesnutt Oake standing upon a Pointe by a Marsh on the Creeke side, w^{ch} said Tree by the oath of ffrancis sheffield was proved to bee showne by John Jenkins once the Owner of the said parcell of land unto Robert Long to be the Northermost bound tree betwixt this parcell of Land and Richard Watsons, w^{ch} said bound Tree according to the Certificate brings us neare the Mouth of Hampton Creeke on a South Course, And Whereas wee ought

Liber W. C. according to Certificate to have runn our East south east Course from thence by reason of the Creeke and Marsh Wee could not runn out the Line accordingly, Wee therefore psecuted the aforesaid Survey from the aforesaid Chestnutt oake East southeast for the Length of five hundred perches into the woods, Thence South untill it intersect a paralell drawne to Hampton Creeke, And Whereas Henry Hardy did Carry us to a Spanish Oake Standing upon a Pointe Neare the Mouth of Batchelo^{rs} Creeke on the south side of the said Creeke & proved it by the Oathes of Robert Robins & Thomas Craxtone to be the reputed bound tree to the best of their knowledges betwixt the Lands of Thomas Batchelo^r and Richard Watson any time this Twenty yeares. But wee Could not finde the said Tree to stand any way in the lines of either Tract of Land according to Certificate as by the Surveyo^{rs} plotts will more Plainely appeare, And Now Whereas wee have Runn out the aforesaid Two parcells of Land by the surveyo^r in the p^rsence of the sheriffe aforesaid, Wee did also Runn out the One hundred and fifty acres of Land in the posession of Henry Hardy & now the Land in Question, By the oath of Thomas Shuttleworth wee finde that Richard Watson did bound Thomas Peircey when hee Sould him the said parcell of Land at a bounded beech standing by the side of a branch that falleth into the Beaver Damm, runing thence south thirty six pches to a bounded oake, Notwithstanding the said Watson did but sell him Tenn prches. (And that Henry Hardy did by the Order of Thomas Peirsey bound the aforesaid two bound Trees himself, And from the said Oake runing west Two hundred eighty and foure perches to the Marsh by y^e Creeke side, thirty six perches short of his number exprest in his pattent & in the Conveyance from Richard Watson to Thomas Peircey aforesaid, But wee Could not prosecute the survey any further because of the Marsh and Creeke, And further wee Juro^{rs} aforesaid Sayes That wee did not finde or anywayes pceive That the said Philip Lines hath Comitted any Trespasse Either upon Watsons Land or the Land of Henry Hardy now in Question **In Witnesse** whereof the Sheriffe aswell as the Surveyo^r wth the Juro^{rs} have hereunto sett their hands and seales the day and yeare first above written

W^m Chandler sher (sealed)

Rand^o Brandt: Dep: Sur: (sealed)

James Neale	(sealed)	Arthur Turner	(sealed)
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Jn ^o ffaning	(sealed)	W ^m Hatch	(sealed)
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James Beamount	(sealed)	Mevorel Hulse	(sealed)
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Tho: Clipsham	(sealed)	Edmond Dennis	(sealed)
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Tho: Gibson	(sealed)	ffrancis Wyne	(sealed)
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Ralph Smith	(sealed)	Cleoborne Lomax	(sealed)
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And Whereupon the said Philip Lines by his Attorney sayth That hee the said Henry Hardy his accon aforesaid against him the said

Philip Lines in manner & forme aforesaid ought not to have, Be- Liber W. C.
cause hee sayth That hee the said Philip of the Trespasse and Eject-
ment aforesaid above by the said Plt in his said Declaracon alleadged
against him is in noe wise guilty, & of this hee puts himself upon
the Country, and the said plt Likewise

Therefore Comand is given to the Sheriffe of st Maryes County p. 375
that hee Cause to come here Twelve &c. by whome &c and who
neither &c To Recognize &c, because aswell &c^a

Now here att this day To witt, The Eighteenth day of ffebru-
ary in the sixth yeare of the Dominion of the Right Hono^{ble} Charles
Lord Baltemore &c Annoq Dominj One thousand six hundred and
eighty came the said partyes by their Attorneys aforesaid. And the
Juro^{rs} impannelled being called Likewise Came (to witt) Richard
Lloyd, Michael Ashford, William Wells, John Gray, Edward Abbot,
Emanuel Ratliffe, John Evans, John Wynn, Edward Morgan, John
Martindale, John Browne, & Henry Morgan, Who being elected
tryed and Sworne to say y^e truth in the p^rmisses Upon their oathes
doe say, That the said Philip Lines is guilty of the Trespasse and
Ejectment above imposed Upon him, Therefore Itt is Considered
That the said William Sparkes as Lessee to the said Henry Hardy
Recover against the said Philip Lynes his said Terme yet to Come
of and in the said Messuage and One hundred and fifty Acres of
Land called Hardys purchase with the appurtenances Whereof by
the Jury aforesaid it is above found the said philip to be guilty of
the Trespasse and Ejectment aforesaid, and also the Sume of Nine
thousand one hundred sixty & seaven pounds of Tobacco. Costs of
Suite, and the Defend^r in Mercy &c.

ffbruary 22th 1680

Allowed to Edward Abbott of Charles County for Comeing goe-
ing and attendance to testify for Gerrard Slye att the suite of John
Machen in all Twenty five dayes att Thirty pounds of Tobacco p
day is Seaven hundred & fifty Pounds of Tobacco

Eod. Die

Allowed to John Wynne of st Maryes County for comeing goeing
and Attendance To Testify for John Watson Execut^r of John Cun-
ingham against John Addison and his wife Ex^{ix} of Nicholas Proddy
dec^d, in all Tenn dayes at Thirty pounds of Tobacco p day is Three
hundred pounds of Tobacco

Eod. Die

Then Allowed to Thomas Hinton of st Maryes County for Come-
ing goeing and attendance To testify for Hugh Reynolds against
Thomas Hebb in all Tenn dayes att Thirty pounds of Tobacco
p day is Three hundred pounds of Tobacco

Liber W. C. Eod. Die

Allowed to Thomas Waughopp of st Maryes County for comeing goeing & attendance to Testify for Hugh Reynolds against Thomas Hebb in all Tenn dayes att Thirty pounds of Tobacco p day is Three hundred pounds of Tobacco

Febr^y 19th 1680

Allowed to Thomas Shuttleworth of Charles County for comeing goeing and attendance to Testify for phillip Lynes at the suite of William Sparkes Lesso^r of Henry Hardy in all ffourteen dayes att Thirty pounds of Tobacco p day is ffoure hundred and Twenty Pounds of Tobacco

February 22th 1680

Allowed to John Powell and George Powell of Calvert County for comeing goeing and attendance to Testify for John Ashcombe against Thomas Norman in all Seaven dayes a peice, w^{ch} at thirty pounds of Tobacco p day Amounts unto for each of them Two hundred and Tenn pounds of Tobacco

p. 376 february y^e 24th } Allowed to Randall Henson of st Maryes County
1680 } for comeing goeing and attendance to Testifie for
Thomas Jones against John England, in all six
dayes att Thirty pounds of Tobacco p day is One hundred and
Eighty pounds of Tobacco

<p>James Derumple & Mary his wife Ex^x John Clements ag^t W^m Orchard & George Lewen</p>	}	<p>Comand was given to the Sheriffe of Talbott County that whereas it was Comanded him formerly that hee should attach any the goods or Chattles of William Orchard and George Lewen of Poole in the King- dome of England Marchants If they Should bee found in his Bali- wick to the Vallue of Two hundred Sixty two pounds Nine shillings and tenn pence ster^t, and when hee had the same soe attached or any part thereof the Same in his Custody to Keepe untill the said Wil- liam Orchard and George Lewen should by themselves or theire Attorney appeare here the Eleaventh day of May in the fifth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Anno^q Dom 1680 To answer unto James Derumple and Mary his wife Ex^x of the Last will and Testam^t of John Clements deceased in a plea of Trespasse upon the case, On w^{ch} said Eleaventh day of May the said Sheriffe made returne of the same writt to the Justices here That by vertue thereof hee then before Cap^t Lionell Ripley and divers others Demanded of M^r Edward Mann to let him see what salt hee had in his Custody belonging to M^r Orchard and Com- pany, and hee Confessed that there was about ffoure hundred</p>
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Bushells of salt in his Custody w^{ch} did formerly belong to M^r Orchard but was the last year by his Order delivered to M^r John Dorrell, And that hee the said Edward Mann went with him to a Tobacco house w^{ch} they found Locked, and that hee the said Sheriffe demanded the Key, and the said Edward Mann refused to deliver it, but sayd, hee might Looke in and see the salt, w^{ch} hee the said sheriffe did, and then in the presence of the psons aforesaid hee attached the said salt w^{ch} hee guessed to bee about foure hundred Bushells, for the use of the said James Derumple and Mary his wife as the supposed goods of William Orchard and George Lewen, and the said James Derumple haveing given Security according to the Act of Assembly in that Case made and Provided Itt was further Comanded the said Sheriffe that hee should Repaire to the house of the said Edward Mann where the Salt aforesaid Lyeth, and see the Same Exactly Measured, w^{ch} being done that hee then Deliver the same unto the said James Derumple and Mary his wife Ex^{ix} of the Last will and Testament of the said John Clements deceased And how hee should Execute the same writt that hee make it appeare to the Justices of the Provinciaall Court to be held at the City of st Maryes the fifteenth day of ffebruary in the sixth yeare of the [Dominion] of the Right Hono^{ble} Charles Lord Baltemore &c Annoꝝ Dominj 1680, On w^{ch} said fifteenth day of ffebruary Thomas Vaughan Sheriffe of the County aforesaid made returne of the precept aforesaid, That by vertue thereof hee hath Measured the said Salt w^{ch} did Containe seaven hundred forty seaven Bushells, and according to the same precept hee hath Delivered the same to James Derumple

Liber W. C.

p. 377

To the Hono^{ble} The Justices of the Provinciaall Court
The humble petiḱon of Jn^o Browne of
New England Mariner

Sheweth unto yo^r Hono^{rs})

That Whereas yo^r Peticon^r haveing a Cawse depending in this Hono^{ble} Court against his Lopp the Lord Prop^{ty}, and all the Attorneys of this Court refusing to bee your Peticoners Attorney

Wherefore yo^r peticon^r humbly prayes this Court that hee may have Councell, and Attorney or Attorneys assigned him to Plead in his behalfe by reason of yo^r petiḱoners ignorance in the Law

And yo^r peticon^r shall as in duty bound humbly Pray

Which being Read and heard &c^a Itt is Ordered by the Court here this day (to wit) the Eighteenth day of ffebruary in the Sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoꝝ Dominj 1680 That Robert Ridgely and George Parker gentl Attorneys of this Court bee and hereby Assigned Cuncello^{rs} to the said John Browne to prosecute for him the aforesaid acḱon against the Lord Prop^{ty} in the aforegoeing Petiḱon mentioned

Liber W. C. ffebruary 22th } Ordered that all the witnesses that were Sumoned
 1680: } in the Cause depending between John Machen Plan-
 } tiffe, and Gerrard Slye defend^t bee paid and satisfied
 } their Costs and charges allowed them by this Court for their Come-
 } ing goeing and attendance, by the Attorneys who Sumoned them
 } or sued out the Supœna's for them

February 22th 1680

Allowed to John Hamilton for comeing goeing and attendance
 to testify for John Machen against Gerrard Slye in all Nineteen
 dayes att thirty Pounds of Tobacco p day is ffive hundred and Seav-
 enty Pounds of Tobacco

Eod. Die

Allowed to Samuel Dobson of st Maryes County for Comeing
 goeing & attendance to testify for John Machen against Gerrard
 Slye in all Twenty five dayes at thirty pounds of Tobacco p day is
 Seaven hundred and ffifty pounds of Tobacco

Eod. Die

Allowed to William Wells of Charles County for Comeing goeing
 & attendance to testify for John Machen against Gerrard Slye in all
 Twenty five dayes at thirty Pounds of Tobacco p day is Seaven
 hundred and fifty pounds of Tobacco

Eod. Die

Allowed to John Gray of Charles County for Comeing goeing &
 attendance to Testify for John Machen against Gerrard Slye in all
 Twenty five dayes at thirty pounds of Tobacco p day is seaven
 hundred and fifty pounds of Tobacco

p. 378

To the Hono^{ble} The Justices of the Provincia^l Court
 The humble Petiœon of Thomas Vaughan Sheriffe
 of Talbott County

Humbly Sheweth

That yo^r petiœoner humbly Craveth an ord^r for sixteene hundred
 & eighty pounds of Tobacco for attendance of Humphrey Melton,
 and for boate and Two hands, and Three dayes attendance what yo^r
 Hono^{rs} shall think fitt

And yo^r peticon^r shall pray &c^a

W^{ch} petiœon being Read and heard Itt is ordered by the Court here
 this day to witt the nineteenth day of ffebruary in the sixth yeare
 of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c
 Annoq Dominj 1680 That the Petiœoner be satisfyed and Paid the
 Sume of Tobacco in the aforegoeing Peticon Mentioned according
 to an Act of Assembly in that Case made and Provided

To the hono^{ble} The Justices of the Provincia^l Court in Court Liber W. C.
 sitting &c
 The humble Peticon of Mary Baines servant to James Lewis
 of st Maryes County

Sheweth

That the said James Lewis her Master behaving himself So Rigorously towards your Petitioner, Yo^r petitioner obtained a warrant from yo^r Hono^r (the Chancello^r) for his appeareance last Christmas was Twelve Monthes to answere to your Peticoners Objections, but hee Lyeing obsconded yo^r peticon^r Could not serve him with the said warrant, Since w^{ch} time hee hath used yo^r peticon^r and his other Servants soe Cruelly that did not the necessity of the Case Require it Yo^r petitioner should Choose to Conceale it as a thing to horid to Devulge

That yo^r Peticon^{rs} said Master will not allow her Cloathes to her back nor Victualls to Eate, nor a bed to lye on, but Continually beats and abuses her to the inevitable Ruine of yo^r Petitioner if not speedily p^rvented

That on Wednesday last was fortnight the said James Lewis her said Master sent yo^r Peticoners fellow servant Joseph Robinson to fetch in a Logg of wood w^{ch} being to heavy for him to carry his Neighbo^{rs} offered to help him for w^{ch} his Master abused his said Neighbours, and beat the said Joseph, and the said Joseph Confessing hee tooke a small bit of Meat to Eat out of the Closet, his Master Threw him downe and Trampled Upon his Throat with such Violence That within Two hours after the said Joseph Dyed, and your Peticon^{rs} said Master Threaten'd yo^r peticon^r to serve her the same Sauce and Swore Dam him hee car'd not a straw or words to that effect

This yo^r peticon^r with two other Credible witnesses are ready to averr maintaine and prove and humbly Craves releife in the p^rmisses & Justice upon her said Master

And Yo^r Peticon^r shall ever Pray

Which Peticon being read and heard Itt is Ordered by the Court here this day (to witt) the Nineteenth day of ffebruary in the sixth p. 379
 yeare of y^e Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 That the said Mary Baines Servant to the said James Lewis Remaine in the Custody of William Boareman sheriffe of st Maryes County untill this Court be better Satisfied in the premisses

Afterwards to witt the Two and twentyeth day of ffebruary in the yeare aforesaid Came Thomas Courtney of st Maryes County and Produced to the Court here a bill of sale from the said James Lewis to him the said Thomas Courtney of the said Mary Baines Servant to the said James Lewis as aforesaid

Whereupon Itt is Ordered by the Court here that the said Mary

Liber W. C. Baines be and is hereby discharged out of the Custody of the sheriffe of st Maryes County and Delivered to the said Thomas Courtney, with him the said Thomas to Remaine untill some other pson or psons shall prove a better Right & title unto her. Or she the said Mary be free

Mary Baines Servant to James Lewis of st Maryes County being Sworne in open Court this Nineteenth day of ffebruary Annoq Dom 1680 sayth

That on the second day of ffebruary instant she saw her said Master James Lewis beat one Joseph Robinson his sarvant wth a stick Two seaverall times, and that the said Joseph Robinson wth in three hours after such beating dyed, And that the said Joseph Robinson about a Weeke before his Death told this Deponent that his Master had broke his heart wth blowes and Kill'd him, But that hee might Live as long as pleased god, And further sayth not

ffeb^{ry} y^e 19th 1680

Nic: Painter Ct

sworne in open Court.

To the Hono^{ble} The Justices of the Provinciaall Court
The humble Petiçon of Jonathan Sybrey Sheriffe of Cecill County Sheweth

That one Thomas King was Comitted Prison^r to yo^r petiçoner the Eighth day of June last for the Murthering of his servant, & there Continued prisoner to yo^r Petiçoner till the Twenty sixth day of November following, att w^{ch} time hee was Turnd over to the Sheriffe of st Maryes County

Yo^r Peticon^r humbly prayes yo^r Hono^{rs} will be Pleased to allow yo^r Peticon^r his fees and Charges about the said Prison^r, & bringing him downe, wth the witnesses as underneath is mentioned, and Your hono^{rs} direcçons how hee must be pay'd the same

And hee shall Pray &c^a

li Tob

	For fees for the said Prisoner from the Eighth of June to the 26 th of Novemb ^r being one hundred seaventy two dayes att 20 p day is.....	... 344 ^o
Octob ^r 1680	To the charges for the sheriffes two men & foure Witnesses & the Prison ^r Lyeing wind bound at Richard Edmunds in Cecill County Ordinary Keeper, when the sheriffe sent the Prisoner downe to Octob ^r Court, staying Two dayes & Two nights.....	... 800

	To Ordinary Expences at y ^t time for y ^e same People att John Bakers.....	...	830	Liber W. C.
	To Ordinary expences at Richard Keenes goeing back from the Court being adjourned staying there ffoure dayes wind bound.....	...	1265	
	To the hyre of Two men Twenty one dayes att 30 p day each attending to bring the Prison ^r downe then.....	...	1260	
	To Boate hyre then Twenty one Dayes at 10 .....	...	210	
	To Provision for Seaven men Three weekes .....	...	400	
Novemb ^r 1680	To the Two mens hyre to bring the Prison ^r downe to Novemb ^r Court being out Twenty eight dayes att 60	...	1680	p. 380
	To boate hyre att 10 ^h Tob:.....		280	
	To provisions for six men that time.....		400	
	To Expences att ffrancis Cattersons Ordinary at st Maryes.....	...	460	
	To Expences att Henry Exons.....		230	
Summe Total: is...				11355

Which petiçon being read and heard Itt is Ordered by the Court here this day to witt the One and Twentiyeth day of february in the sixth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 That the Petiçoner Jonathan sibrey bee and is hereby Allowed the aforementioned Sume of Eleaven Thousand three hundred fifty five Pounds of Tobacco the fees and charges about the said Thomas King by him Laid out and Expended as aforesaid, To be paid and satisfyed to the said Jonathan Sybrey Out of the estate of the said Thomas King,

George Parker } Comand was given to the Sheriffe of Cecill County
ag^t } that Whereas att a Provinciaall Court held att the
Edward English } City of st Maryes before the Justices of the said
Adm^r of Roger } Court the Tenth day of Aprill 1678 in a suite then
Thorpe } there depending betweene George Parker p^t and
Edward English late of Cecill County Marchant
Adm^r of the goods and Chattles Rights and Creditts of Roger
Thorpe deceased the said plantiffe Recovered two Judgments against
the estate of the said Roger Thorpe, One for foure hundred and
forty pounds of Tobacco debt & five hundred and sixty pounds of
Tobacco Costs of suite And the other for seaven hundred and six
pounds of Tobacco debt and five hundred and sixty pounds of

Liber W. C. Tobacco costs of suite, And for that Execution hath not thereupon issued Itt was therefore Comanded the said Sheriffe that by good and Lawfull men of his Baliwick hee make Knowne to the said Edward English that hee be and appeare here the ffifteenth day of february in the sixth year of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1680 To shew Cawse (If any hee have) why Execu^con should not issue forth against the estate of the said Roger Thorpe in his hands Remaining Upon the said Judgment,

On w^{ch} said ffifteenth day of february aforesaid Jonathan Sybrey Sheriffe of the County aforesaid made Returne of the writt aforesaid that hee hath sumoned the said Edward English as by the same writt hee is Comanded

p. 381 Afterwards to witt the Eighteenth day of february in the yeare aforesaid Came the said George Parker in his proper person and Offered himself against the said Edward English upon the Scire facias aforesaid, but the said Edward English Came not but made Default Therefore Itt is Considered that the said George Parker have Execu^con against the Estate of the aforesaid Roger Thorpe for his debts and Costs aforesaid, and also that the said George Parker Recover against the Estate of the said Roger Thorpe the Sum of ffive hundred fifty Eight pounds of Tobacco for Costs of Suite sithence Laid out and Expended

James Phillips & Thomas Cannon ag ^t George Gunnell	} Comand was given to the Sheriffe of Baltemore County that hee attach any the goods or Chattles of George Gunnell late of St Maryes County, otherwise called George Gunnell of Baltemore County Chirurgion If they should bee found in his baliwick to the Vallue of one hundred and Twenty thousand pounds of good sound Marchantable Tobacco, and when he had the same soe attached as a aforesaid or any part thereof the same in his Custody to Keepe untill the said George Gunnell Shall by himself or his Attorney appeare here the ffifteenth day of february in the sixth yeare of the Dominion of the Right hono ^{ble} Charles Lord Baltemore &c ^a Annoq Dominj 1680 to Answer unto James Phillips And Thomas Cannon of a plea that hee Rend ^r unto them the full and Just Sume of One hundred & Twenty thousand Pounds of good Sound Marchantable Tobacco & Casq w ^{ch} to them hee oweth and unjustly detaineth, On w ^{ch} said ffifteenth day of february Cap ^t Jonathan Stansby sheriff of the County aforesaid made Returne of the writt aforesaid by a schedule thereunto annexed w ^{ch} followeth in these words Viz
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By Vertue of this writt to me directed I have attached seaverall goods of the wthin Named George Gunnell Amounting to Nineteen thousand five hundred & fifty pounds of Tobacco as by this schedule

hereunto annexed may appeare und^r the hands & seales of the Liber W. C. Appraisers

John Stansby Sheriffe

Decemb^r 15th 1680

Then by vertue of an Attachm^t granted unto James Phillips & Thomas Cannon bearing Date the Second day of December against the Estate of George Gunnell of this County to the Vallue of One hundred and twenty thousand pounds of Tobacco, were Attached these seaverall goods and appraised by Edward Reeves and John Miles then sworne

	li	To	sh
Imp ^{rs} Two Gunns att.....	400		
one Couch flock bed & Rugg & feather } Pillow	200		
1 fframed Table & framed forme.....	500		
2 Leather Chaires.....	60		
464—20 ^d Nails	40		
1300—8 ^d Nails	80		
3 Chests	600		
1 old feather bed bolster Pillow 1 paire } sheetes, 1 paire blankets, Rugg Matt bed- } stead Darned Curtaines & vallans.....	1000		

	li	To	sh
5 Earthern Milk Pans & } 2 butter potts.....	50		
1 small Chest & round Table.....	200		
1 box Iron & Heaters.....	60		
1 small case & bottles one } Iron case of bottles.....	30		
1 flock bed Rug pillow & } two old blankets.....	300		
1 old flock bed more & furniture.....	200		
1 hand Mill & Iron worke.....	250		
36 head hogs young & old &.....	3600		
1 Tenn foot Boate.....	300		
a parcell of Pewter.....	100		
2 Iron potts. 1 frying Pan } 2 small brass Kettles pott } Racks & 1 Copp ^r drinking } pann 2 old saddles.....	360		
2 Coll ^{rs} 1 Cart sadle 1 p ^r Traces.....	60		
3 Traves, 3 milk Tubbs & } 1 Pale	100		
1 Churne & 3 sifters.....	70		
20 head Cattle & six } Calves	9300		
1 bay gelding.....	1000		

Liber W. C.

	1 Mare	1000
	1 Cart	250
Testes	Matthias Stevenson	Edw ^d Reeves (sealed)
	Henry Basford	John Miles (sealed)

p. 382 Afterwards to witt the seaventeenth day of ffebruary in the sixth
 yeare of the Dominion of the Right hono^{ble} Charles Lord Balte-
 more &c Annoq Dominj 1680 Came the said James Phillips and
 Thomas Cannon by Robert Ridgely their Attorney and desired that
 the goods soe attached as aforesaid might bee Condemned unto
 them according to Act of Assembly in that Case made and Provided
Whereupon Came John Harris of the Citty of London Maryner
 by Robert Carvile his Attorney and informed this Court that hee
 the said John Harris att a Provinciaall Court held the thirtieth day
 of November Last past obtained Judgment against the said George
 Gunnell for the sume of Twelve thousand nine hundred Seaventy
 six pounds of Tobacco debt and ffive hundred fifty two pounds of
 Tobacco Costs of Suite, and that the same ought by Law first to be
 satisfyed and paid out of the Estate of the said George Gunnell
 Notwithstanding the attachm^t aforesaid **Whereupon** the premisses
 being fully argued betweene the said Robert Carvile Attorney of the
 said John Harris and the said Robert Ridgely Attorney of the
 said James Phillips and Thomas Cannon and by the Justices here
 fully understood and Considered of, Itt is Ordered by the Court
 here that the sume of nine thousand two hundred and forty pounds
 of Tobacco wth Remaines behind & unpaid of the Judgment afore-
 said bee satisfyed and payd by John Stansby sheriffe of Baltemore
 County aforesaid unto the said John Harris out of the goods soe
 attached as aforesaid, and that the said James Phillips and Thomas
 Cannon give Security unto this Court for the Remaind^r of the said
 goods being Tenn thousand three hundred & Tenn pounds of To-
 bacco according to Act of Assembly in that Case made and Provided

Now here att this day to witt the Eighteenth day of ffebruary in
 the yeare aforesaid Came the said James Phillips and Thomas
 Cannon wth Theophilus Hackett and Thomas Preston their suretyes
 who undertooke for the said James Philips and Thomas Cannon in
 the sume of Tenn Thousand three hundred and Tenn pounds of
 tobacco to indemnifie this Court against all acōns Suites or other
 Matters that shall or may happen touching or Concerning the said
 sume of Tenn thousand three hundred and tenn pounds of Tobacco
 soe attached as aforesaid, and shall make Restituōn of the said
 sume of Tenn thousand three hundred and tenn pounds of Tobacco
 or the vallue thereof in Case the said George Gunnell shall w^{thin}
 one yeare and a day make his Just and due defence & proceed on
 in the sd acōn in Common forme & make it appeare that the said
 James Phillips and Thomas Cannon is satisfyed their Just Demands,
 and Thereupon this Condemned the said sume of Tenn thousand

three hundred and tenn pounds of Tobacco soe attached as afore- Liber W. C.
said, and Ordered that the said John Stansby sheriffe of Baltemore
County aforesaid Pay unto the aforesaid James Philips and Thomas
Cannon the aforesaid sume of Tenn thousand three hundred pounds
of Tobacco by him Attached as aforesaid

George Parker } His Lo^{pp} the Lord Prop^{ry} of this Province sendeth p. 383
ag^t } his writt of Habeas Corpus to the sheriffe of Cal-
Joseph Tilley } vert County w^{ch} followeth in these words Viz

Charles Absolute Lord and Prop^{ry} of the Prov-
inces of Maryland and Avalon Lord Baron of Baltemore &c To
the sheriffe of Calvert County greeting Whereas Itt was formerly
comanded yo^u that in all places within yo^r baliwick aswell within
Libertyes as without where you should think fitt you should on our
behalfe Cause publick Proclama^{on} to be made That Joseph Tilley
under paine of his obedience should psonally appeare before us in
our Court of Chancery the fifteenth day of ffebruary last past
wheresoever it should then bee, And Notwithstanding yet in the
meane time If yo^u Could find him the said Joseph Tilley that you
should attach him so that you should have his body before us in o^r
said Court on the day aforesaid to answeare unto us aswell touching a
Certaine Contempt by the said Joseph Tilley against us Comitted as
is alleadged, as to such other things as should be then and there
objected against him by George Parker gentl, and further to doe
and Receive what our said Court should Consider of in that behalfe
On w^{ch} said fifteenth day of ffebruary you made retunre of the
aforesaid Precept That you have taken the body of the aforesaid
Joseph Tilley, and also that the aforesaid Joseph Tilley was first
taken by you by vertue of a Capias ad satisfaciendum issued out
of our County Court of Calvert County Upon a Judgm^t obtained
against the said Tilley att the aforesaid Court held the third Tues-
day in November Last Att the suite of Thomas Bankes for the
sume of Two thousand Eight hundred fifty two pounds of Tobacco,
soe that his body att the day and place in o^r said writt Comanded
you Could not have as o^r said writt required, Wee therefore (at the
request of the aforesaid George Parker) Doe Comand you that if
the aforesaid Joseph Tilley be detained in Prison as aforesaid under
your Custody, That the same Joseph Tilley by whatsoever name
Reputed Together with the day and Cawse of his takeing and
Detaining You have before our Justices of our Provincia^l Court
to be held at our City of st Maryes the Nineteenth day of this
instant Moneth of ffebruary That our said Justices seeing the
Cause aforesaid may doe in that behalfe what of right and accord-
ing to the Lawes and Constitu^{ons} of this Our Province ought to
be done therein, Hereof faile not att yo^r perill and have you there
this writt Witnessse our self the Eighteenth day of february in the
sixth yeare of our Dominion &c Annoq Dominj i680

Liber W. C. Afterwards (to witt) The one and Twentyeth day of ffebruary in the sixth yeare of the Dominion of the Right hono^{ble} Charles Lord Baltemore &c Annoq Dommj 1680 Cap^t Richd Ladd sheriffe of Calvert County aforesaid made returne of the writt aforesaid By an Indorsment on the back side thereof w^{ch} followes in these words Viz

The body of the within Mentioned Joseph Tilley I have here as by this writt I am Comanded charged with the Execu^{con} att the suite of Thomas Bankes w^{thin} men^{con}ed

On w^{ch} said One and twentyeth day of ffebruary in the yeare afore-said Came the said Richard Ladd sheriffe of the County aforesaid and brought unto Court here the body of the aforesaid Joseph Tilley, Who is by this Court Turnd over to Majo^r William Boareman high sheriffe of s^t Maryes County Who received the body of the said Joseph Tilley, and is charged in Execu^{con} with these sumes following Viz To M^r George Parker the sume of Twelve
 p. 384 Thousand six hundred fifty two pounds of Tobacco, To Thomas Bankes upon a Judgment obtained in Calvert County Court Two thousand Eight hundred fifty two pounds of Tobacco, And to Cap^t Richard Ladd for Sheriffes ffees Allowed by this Court the sume of One thousand and sixty pounds of Tobacco

February y^e 21th 1680

Allowed by this Court to The Hono^{ble} Philip Calvert Esq[;] Chancello^r for Sealeing and signing a Habeas Corpus The sume of five Shillings and five Pence sterling Money

ffebruary 22th 1680

Allowed to Majo^r William Boareman high sheriffe of st Maryes County for fees due for Imprisonment of Thomas King for Eleaven Dayes att Twenty Pounds of tobacco p day The sume of Two hundred and Twenty pounds of Tobacco To be paid out of the estate of the said Thomas King

ffebruary y^e 18th 1680

Came Samuel Dobson late Undersheriffe of st Maryes County into open Court, and acknowledged to have Received of Thomas Jones of st Innagoes Sloopman full satisfaccon for a Nonsuite by him the said Samuel this Day Recovered against the said Thomas Jones.

Christopher Rousby Esq [;] qui	} The plantiffe haveing filed his bill against the Defend ^t one of the At- torneys of this Court moved the Court here the ac ^{con} being for One Thousand pounds sterling for spe-
p Domini Rege &c	
ag ^t	
Robert Carville	

ciall bayle, and that the deft may be Compelled to goe to Tryall the next Court **Whereupon** this day to witt the Three and Twentiyeth day of ffebruary in the sixth yeare of the Dominion of the Right Hono^{ble} Charles Lord Baltemore &c Annoq Dominj 1681 Came the said Rob^t Carvile wth Cap^t Jonathan Sybrey of Cecill County and George Thompson of st Maryes County gentl his Suretyes and acknowledged in open Court that if the said Robert Carvile Shall not appeare to this ac^{on} and goe to Tryall thereupon the next Provinciall Court (Provided noe agreement shall in the Meane time be made between the said Plantiffe and Deft) That then they the said Jonathan sybrey and George Thompson will satisfy and Pay the Condempnac^{on} of this Court thereupon If the said Robert Carvile Shall not satisfy and pay the same or Rend^r his body to prisson

Liber W. C.

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